

City of Kelowna

Regular Council Meeting

AGENDA



Monday, May 10, 2021
1:30 pm
Council Chamber
City Hall, 1435 Water Street

Pages

1. Call to Order

I would like to acknowledge that we are gathered today on the traditional, ancestral, unceded territory of the syilx/Okanagan people.

In accordance with the most recent Provincial Health Officer Order regarding gatherings and events, the public is currently not permitted to attend Council meetings in-person. As an open meeting, a live audio-video feed is being broadcast and recorded on kelowna.ca.

2. Confirmation of Minutes

5 - 13

PM Meeting - April 26, 2021

3. Development Application Reports & Related Bylaws

3.1. Taylor Cres 2405 - Z19-0118 (BL12134) - Ian D. Galt

14 - 30

To rezone the subject property from RU1 – Large Lot Housing zone to RU1c – Large Lot Housing with Carriage House zone to facilitate the development of a new carriage house, and to waive the Public Hearing.

3.2. Taylor Cres 2405 - BL12134 (Z19-0118) - Ian D. Galt

31 - 31

To give Bylaw No. 12134 first reading in order to rezone the subject property from RU1 – Large Lot Housing zone to RU1c – Large Lot Housing with Carriage House zone, and to waive the Public Hearing.

3.3. Fordham Rd 4617 - Z21-0013 (BL12138) - James Emil Sharko and Maureen Anne Atrens-Sharko

32 - 50

To rezone the subject property from the RU1 – Large Lot Housing zone to the RU6 – Two Dwelling Housing zone to facilitate a 2-lot subdivision, and to waive the Public Hearing.

- 3.4. Fordham Rd 4617 - BL12138 (Z21-0013) - James Emil Sharko and Maureen Anne Atrens-Sharko** 51 - 51

To give Bylaw No. 12138 first reading in order to rezone the subject property from the RU1 – Large Lot Housing zone to the RU6 – Two Dwelling Housing zone, and to waive the Public Hearing.

- 3.5. Supplemental Report - DeHart Rd 855 - Z20-0080 (BL12204) - Diane Maggie Jane Gatley** 52 - 53

To receive a summary of correspondence for Rezoning Bylaw No. 12204 and to give the bylaw further reading consideration.

- 3.6. DeHart Rd 855 - BL12204 (Z20-0080) - Diane Maggie Jane Gatley** 54 - 54

To give Bylaw No. 12204 second and third reading in order to rezone the subject property from the RU1 – Large Lot Housing zone to the RU6 – Two Dwelling Housing zone.

- 3.7. Supplementary Report - Multiple Addresses, TA20-0023 (BL12144) - Multiple Owners** 55 - 75

To amend Zoning Bylaw No. 8000 by amending general fencing height regulations, adding Multiple Dwelling Housing use to C9 and home-base business use to C9 and CD-22, amending tall building urban design regulations in C4, C7 and C9, and to correct inconsistencies.

- 3.8. Multiple Addresses - BL12144 (TA20-0023) - Multiple Owners** 76 - 79

To amend Bylaw No. 12144 at first reading and forward to Public Hearing.

- 3.9. Rutland Rd N 515 - BL11869 (Z19-0040) - 1918951 Alberta Ltd.** 80 - 80

To adopt Bylaw No. 11869 in order to rezone the subject property from the RU1 - Large Lot Housing zone to the RM3 - Low Density Multiple Housing zone.

- 3.10. Rutland Rd N 515 - DP19-0008 - 1918951 Alberta Ltd** 81 - 123

To consider the form and character of a multiple dwelling housing development.

4. Bylaws for Adoption (Development Related)

- 4.1. BL12185 (TA21-0004) - Amendment to Chapter 14 - Urban Design DP Guidelines** 124 - 125

Requires a majority of all members of Council (5).

To adopt Bylaw No. 12185 in order to amend Chapter 14 of the Official Community Plan.

- 4.2. **BL12186 (TA21-0003) - Amendment to Section 13 - Urban Residential Zones - RU7 - Infill Housing** 126 - 127

To adopt Bylaw No. 12186 in order to amend Section 13 of Zoning Bylaw No. 8000.

5. **Non-Development Reports & Related Bylaws**

- 5.1. **Audit Committee Meeting Review for 2020** 128 - 151

To provide a high-level review of the information provided to the Audit Committee during the meeting on April 29, 2021.

- 5.2. **2020 Consolidated Financial Statements** 152 - 153

To present the Financial Statements to Council for acceptance per the legislative requirements, to provide Council with a recommendation on the appropriation of surplus funds and to seek approval to include the Financial Statements in the Annual Report.

- 5.3. **Proposed Amendments to the Development Applications Procedure Bylaw** 154 - 165

To facilitate a discussion with Council regarding the City's development application process for applications requiring Bylaws and provide suggestions on modifying the process for complex projects.

- 5.4. **Contract for Dispatch for Regional District of East Kootenay** 166 - 188

To have Council approve a five (5) year contract to provide fire dispatch and records management to the Regional District of East Kootenay (RDEK)

- 5.5. **Bicycle Friendly Communities Award** 189 - 198

To accept the Bicycle Friendly Community designation from the Share the Road Cycling Coalition.

6. **Bylaws for Adoption (Non-Development Related)**

- 6.1. **BL12198 - Five Year Financial Plan Bylaw 2021 - 2025** 199 - 204

To adopt Bylaw No. 12198.

- 6.2. **BL12199 - Tax Structure Bylaw 2021** 205 - 205

To adopt Bylaw No. 12199.

- 6.3. **BL12200 - Annual Tax Rate Bylaw 2021** 206 - 208

To adopt Bylaw No. 12200.

6.4.	BL12201 - Development Cost Charge Reserve Fund Expenditure Bylaw	209 - 209
	To adopt Bylaw No. 12201.	
6.5.	BL12202 - Sale of City-Owned Land Reserve Fund	210 - 210
	To adopt Bylaw No. 12202..	
6.6.	BL12173 - Amendment No. 11 to Development Application Fees Bylaw No. 10560	211 - 212
	To adopt Bylaw No. 12173.	

7. Mayor and Councillor Items

8. Termination



City of Kelowna Regular Council Meeting Minutes

Date: Monday, April 26, 2021
 Location: Council Chamber
 City Hall, 1435 Water Street

Members Present Mayor Colin Basran, Councillors Maxine DeHart, Gail Given, Brad Sieben* and Loyal Wooldridge

Members participating remotely Councillors Ryan Donn, Charlie Hodge and Luke Stack

Members Absent Councillor Mohini Singh

Staff Present City Manager, Doug Gilchrist; City Clerk, Stephen Fleming; Community & Neighbourhood Services Manager, Mariko Siggers*; Divisional Director, Active Living & Culture, Jim Gabriel*; Divisional Director, Planning & Development Services, Ryan Smith*, Urban Planning Manager, Jocelyn Black*; Planner, Tyler Caswell*; Planner Specialist, Alex Kondor*; Planner, Andrew Ferguson*; Event Development Supervisor, Chris Babcock*; Real Estate Department Manager, Johannes Saufferer*; Property Officer, Tracey Hillis*; Divisional Director, Infrastructure, Alan Newcombe*; Infrastructure Delivery Department Manager, Brian Beach*; Parks & Buildings Planning Manager, Robert Parlane*; Divisional Director, Financial Services, Genelle Davidson*; Financial Planning Manager, Kevin Hughes*; Budget Supervisor, Melanie Antunes*

Staff participating remotely Legislative Coordinator (Confidential), Arlene McClelland

(* Denotes partial attendance)

1. Call to Order

Mayor Basran called the meeting to order at 1:33 p.m.

I would like to acknowledge that we are gathered today on the traditional, ancestral, unceded territory of the syilx/Okanagan people.

In accordance with the most recent Provincial Health Officer Order regarding gatherings and events, the public is currently not permitted to attend Council meetings in-person. As an open meeting, a live audio-video feed is being broadcast and recorded on kelowna.ca.

2. Confirmation of Minutes

Moved By Councillor Wooldridge/Seconded By Councillor Hodge

R0444/21/04/26 THAT the Minutes of the Regular Meetings of April 19, 2021 be confirmed as circulated.

Carried

3. Committee Reports

3.1 46th Annual Civic and Community Awards Announcement

Staff:

- Displayed a PowerPoint Presentation and video introducing the finalists for Young Citizen of the Year, Citizen of the Year and Anita Tozer Awards.

Mayor Basran announced the following winners:

Young Citizen of the Year Award - Tian Whitehead
 Citizen of the Year Award - Elaine McMurray
 Anita Tozer Award - Rolli Cacchioni

4. Development Application Reports & Related Bylaws

4.1 Pooley Rd 3201 - A20-0004 FH20-0004 - 1035617 BC Ltd., Inc.No.1035617

Staff:

- Displayed a PowerPoint Presentation summarizing the application and responded to questions from Council.

Moved By Councillor Sieben/Seconded By Councillor Given

R0445/21/04/26 THAT Agricultural Land Reserve Appeal No. A20-0004 for Lot 3 Section 10 Township 26 ODYD Plan 790 located at 3201 Pooley Road, Kelowna, BC, for a Non-Adhering Residential Use Permit pursuant to Section 25 of the Agricultural Land Commission Act, be supported by Council;

AND THAT the Council directs Staff to forward the subject application to the Agricultural Land Commission for consideration;

AND THAT Council authorizes the issuance of Temporary Farm Working Housing Permit No. FH20-0004 for Lot 3 Section 10 Township 26 ODYD Plan 790 located at 3201 Pooley Road, Kelowna, BC subject to the following:

1. Approval by the Agricultural Land Commission of Non-Adhering Residential Use Permit Application A20-0004;
2. The dimensions and siting of the building to be constructed on the land in accordance with Schedule A;
3. The exterior design and finish of the building to be constructed on the land, be in accordance with Schedule B;
4. A vegetated buffer is provided for screening adjacent property lines and between the temporary farm worker housing and active farming areas in accordance with Schedule C;
5. The applicant is required to post the City a Landscape Security deposit in the form of a "Letter of Credit" in the amount of 125% of the estimated value of the landscape buffer, as determined by a professional landscaper;
6. Registration of a Section 219 Restrictive Covenant on the Title that states:
 - a. The dwellings will be used for temporary farm workers only;
 - b. The owner will remove the dwellings if the farm operation changes such that if they are no longer required;

- c. The dwellings will only be used for farm workers for a maximum of ten (10) months of the year;
- d. The maximum number of accommodations permitted on this farm unit within this City sector is 60 workers; and,
- e. The temporary farm worker housing building footprint is a maximum of 0.3ha.

AND FURTHER THAT this Permit is valid for two (2) years from the date of Council approval, with no opportunity to extend.

Carried

4.2 Teasdale Rd 1454 - A21-0002 - Kulwant and Parminder Hans

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Moved By Councillor Stack/Seconded By Councillor Wooldridge

Ro446/21/04/26 THAT Agricultural Land Reserve Appeal No. A21-0002 for Lot A, Section 23, Township 26, ODYD, Plan 4697 Except Plans H12752 and KAP78750 located at 1454 Teasdale Road, Kelowna, BC for a non-adhering residential use permit pursuant to Section 25 of the Agricultural Land Commission Act, be supported by Council;

AND THAT the Council directs Staff to forward the subject application to the Agricultural Land Commission for consideration.

Carried

4.3 Gerstmar Rd 605 - Z20-0081 (BL12112) - Waiver of Condition of Adoption

Moved By Councillor Wooldridge/Seconded By Councillor Donn

Ro447/21/04/26 THAT Council waives the requirement for Schedule A: City of Kelowna Memorandum to be considered in conjunction with Final Adoption of Rezoning Bylaw No. 12112;

AND THAT Final Adoption of Rezoning Bylaw No. 12112 be considered by Council.

Carried

4.4 Gerstmar Rd 605 - BL12112 (Z20-0081) - Gurmit Singh Mann & Jagraj Singh Gill

Moved By Councillor Wooldridge/Seconded By Councillor Given

Ro448/21/04/26 THAT Bylaw No. 12112 be adopted.

Carried

4.5 Laurier Ave 934 - BL11799 (Z18-0103) - 1079687 B.C. Ltd, Inc. No. BC1079687

Moved By Councillor Given/Seconded By Councillor Wooldridge

Ro449/21/04/26 THAT Bylaw No. 11799 be adopted.

Carried

4.6 Laurier Ave 934 - DP18-0193 - 1079687 BC Ltd., Inc. No. BC1079687

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Moved By Councillor Wooldridge/Seconded By Councillor Donn

R0450/21/04/26 THAT Council waives the requirement for a Development Variance Permit to be considered in conjunction with Final Adoption of Rezoning Bylaw No. 11799;

AND THAT Council authorizes the issuance of Development Permit No. DP18-0193 for Lot 4 District Lot 138 ODYD, Plan 2819, located at 934 Laurier Avenue, Kelowna, BC subject to the following:

1. The dimensions and siting of the building to be constructed on the land be in accordance with Schedule "A,"
2. The exterior design and finish of the building to be constructed on the land, be in accordance with Schedule "B";
3. Landscaping to be provided on the land be in accordance with Schedule "C";
4. The applicant be required to post with the City a Landscape Performance Security deposit in the form of a "Letter of Credit" in the amount of 125% of the estimated value of the landscaping, as determined by a Registered Landscape Architect;

AND FURTHER THAT this Development Permit is valid for two (2) years from the date of Council approval, with no opportunity to extend.

Carried

4.7 Baron Rd 2025, 2125 and Leckie Rd 1830, 1880 - BL12122 (OCP19-0007) - Victor Projects Ltd., No. BC1050457

Moved By Councillor Wooldridge/Seconded By Councillor Given

R0451/21/04/26 THAT Bylaw No. 12122 be adopted.

Carried

4.8 Baron Rd 2025, 2125 and Leckie Rd 1830, 1880 - BL12123 (Z19-0115) - Victor Projects Ltd., No. BC1050457

Moved By Councillor Given/Seconded By Councillor Wooldridge

R0452/21/04/26 THAT Bylaw No. 12123 be adopted.

Carried

4.9 Baron Rd 2125 and 2205, Leckie Rd 1830 and 1880, and Underhill St 1901 - DP19-0184 - DP19-0185 - Victor Projects Ltd

Staff:

- Displayed a PowerPoint Presentation summarizing the application and responded to questions from Council.

Moved By Councillor DeHart/Seconded By Councillor Given

R0453/21/04/26 THAT Council authorizes the issuance of Development Permit No. DP19-0184 for:

Lot 2, District Lot 126, ODYD Plan KAP59203, located at 2125 Baron Road;

Lot 3, District Lot 126, ODYD Plan KAP59203, located at 2205 Baron Road;
 Lot 1, District Lot 126, ODYD Plan KAP59203, located at 1830 Leckie Road; and
 Lot B, District Lot 126, ODYD Plan KAP56817, located at 1880 Leckie Road, Kelowna BC subject to the following:

1. The dimensions and siting of the building to be constructed on the land be in accordance with Schedule "A,"
2. The exterior design and finish of the building to be constructed on the land, be in accordance with Schedule "B";
3. Landscaping to be provided on the land be in accordance with Schedule "C";
4. The applicant be required to post with the City a Landscape Performance Security deposit in the form of a "Letter of Credit" in the amount of 125% of the estimated value of the landscaping, as determined by a Registered Landscape Architect;

AND THAT Council authorizes the issuance of Development Permit No. DP19-0185 for:

Lot 1, District Lots 126, 127 and 142, ODYD, Plan KAP74479, located at 1901 Underhill Street; Kelowna, BC subject to the following:

1. The dimensions and siting of the building to be constructed on the land be in accordance with Schedule "A,"
2. The exterior design and finish of the building to be constructed on the land, be in accordance with Schedule "B";
3. Landscaping to be provided on the land be in accordance with Schedule "C";
4. The applicant be required to post with the City a Landscape Performance Security deposit in the form of a "Letter of Credit" in the amount of 125% of the estimated value of the landscaping, as determined by a Registered Landscape Architect;

AND FURTHER THAT this Development Permit is valid for two (2) years from the date of Council approval, with no opportunity to extend.

Carried

Councillors Hodge and Wooldridge - Opposed

5. **Bylaws for Adoption (Development Related)**

5.1 **Hwy 97 N 3646-3652 - BL12160 (LUCT20-0009) - BCJ Properties Ltd., Inc. No. 472355**

Moved By Councillor Wooldridge/Seconded By Councillor Given

Ro454/21/04/26 THAT Bylaw No. 12160 be adopted.

Carried

5.2 **Hwy 97 N 3646-3652 - BL12161 (Z20-0074) - BCJ Properties Ltd., Inc. No. 472355**

Moved By Councillor Given/Seconded By Councillor Wooldridge

Ro455/21/04/26 THAT Bylaw No. 12161 be adopted.

Carried

5.3 **Multiple Addresses - BL12180 (Z21-0006) - Multiple Owners**

Moved By Councillor Given/Seconded By Councillor Wooldridge

Ro456/21/04/26 THAT Bylaw No. 12180 be adopted.

Carried

6. Non-Development Reports & Related Bylaws

6.1 2021 Bernard Avenue Sidewalk Seating Program

Councillor Sieben declared a conflict of interest for Items 6.1 and 6.2 due to interests in businesses that may be impacted by each initiative and departed the meeting at 2:21 p.m.

Staff:

- Displayed a PowerPoint Presentation summarizing the activities related to the potential implementation of the sidewalk seating program on Bernard Avenue and responded to questions from Council.

Moved By Councillor Hodge/Seconded By Councillor Wooldridge

Ro457/21/04/26 THAT Council receive, for information, the report from Sport & Event Services dated April 26, 2021 regarding the activities related to the implementation of the sidewalk seating program on Bernard Avenue;

AND THAT Council approve the implementation of the sidewalk seating program, as described in this report, on Bernard Avenue.

Carried

6.2 Cannery Laneway Initiative

Staff:

- Displayed a PowerPoint Presentation outlining the Cannery Laneway Initiative Program and responded to questions from Council.

Moved By Councillor Wooldridge/Seconded By Councillor Hodge

Ro458/21/04/26 THAT Council receives, for information, the report from the Public Works and Real Estate departments dated April 26, 2021, with respect to the Cannery Laneway Initiative;

AND THAT the 2021 Financial Plan be amended to include the annual revenues for the Cannery Laneway once determined, with an offsetting amount contributed to reserves.

Carried

Councillor Sieben rejoined the meeting at 3:02 p.m.

6.3 2021 Infrastructure Delivery Spring Update

Staff:

- Displayed a PowerPoint Presentation summarizing the Capital Construction Projects and responded to questions from Council.

Moved By Councillor DeHart/Seconded By Councillor Wooldridge

Ro459/21/04/26 THAT Council receives for information, the report from Infrastructure Delivery dated April 26, 2021, with respect to the 2021 Infrastructure Delivery Spring Update.

Carried

6.4 2021 Financial Plan - Final Budget

Staff:

- Displayed a PowerPoint Presentation outlining the 2021 Final Budget submissions and 2021-2025 Financial Plan and responded to questions from Council.

Moved By Councillor Hodge/Seconded By Councillor Donn

Ro460/21/04/26 THAT Council adopts the 2021-2025 Financial Plan;

AND THAT Council approves the formulation of 2021 Property Tax Rates that will raise the required funds in 2021, from General Taxation, in the amount of \$157,735,983, resulting in an average net property owner impact of 4.04 per cent;

AND THAT Bylaw No. 12198 being the 2021-2025 Five Year Financial Plan, 2021 be advanced for reading consideration;

AND THAT Bylaw No. 12199 being the Tax Structure Bylaw, 2021 be advanced for reading consideration;

AND THAT Bylaw No. 12200 being the Annual Tax Rates Bylaw, 2021 be advanced for reading consideration;

AND THAT Bylaw No. 12201 being the DCC Reserve Fund Expenditure Bylaw, 2021 be advanced for reading consideration;

AND FUTHER THAT Bylaw No. 12202 being the Sale of City Owned Land Reserve Fund Expenditure Bylaw, 2021 be advanced for reading consideration.

Carried

6.5 BL12198 - Five Year Financial Plan Bylaw 2021 - 2025

Moved By Councillor Sieben/Seconded By Councillor DeHart

Ro461/21/04/26 THAT Bylaw No. 12198 be read a first, second and third time.

Carried

6.6 BL12199 - Tax Structure Bylaw 2021

Moved By Councillor DeHart/Seconded By Councillor Sieben

Ro462/21/04/26 THAT Bylaw No. 12199 be read a first, second and third time.

Carried

6.7 BL12200 - Annual Tax Rate Bylaw 2021

Moved By Councillor Sieben/Seconded By Councillor DeHart

Ro463/21/04/26 THAT Bylaw No. 12200 be read a first, second and third time.

Carried

6.8 BL12201 - Development Cost Charge Reserve Fund Expenditure Bylaw

Moved By Councillor DeHart/Seconded By Councillor Sieben

Ro464/21/04/26 THAT Bylaw No. 12201 be read a first, second and third time.

Carried

6.9 BL12202 - Sale of City-Owned Land Reserve Fund

Moved By Councillor Sieben/Seconded By Councillor DeHart

Ro465/21/04/26 THAT Bylaw No. 12202 be read a first, second and third time.

Carried

6.10 Amendment No. 11 to Development Application Fees Bylaw No. 10560 (BL12173)

Staff:

- Displayed a PowerPoint Presentation summarizing the amendments to the Development Application Fees bylaw.

Moved By Councillor DeHart/Seconded By Councillor Given

Ro466/21/04/26 THAT Council, receives, for information, the Report from the Development Planning Department dated April 26, 2021 recommending that Council amend the City of Kelowna Development Application Fees Bylaw No. 10560;

AND THAT Bylaw No. 12173 being Amendment No. 11 to the Development Application Fees Bylaw No. 10560 be forwarded for reading consideration.

Carried

6.11 BL12173 - Amendment No. 11 to Development Application Fees Bylaw No. 10560

Moved By Councillor DeHart/Seconded By Councillor Sieben

Ro467/21/04/26 THAT Bylaw No. 12173 be read a first, second and third time.

Carried

6.12 Contract for Dispatch for Regional District of East Kootenay

The item was withdrawn and will be placed on the May 10, 2021 afternoon Agenda.

7. Bylaws for Adoption (Non-Development Related)

7.1 BL12197 Amendment No. 1 to the Five Year Financial Plan 2020-2024 Bylaw No. 12011

Moved By Councillor Sieben/Seconded By Councillor DeHart

Ro468/21/04/26 THAT Bylaw No. 12197 be adopted.

Carried

7.2 BL12187 Sterile Insect Release Program Parcel Tax Bylaw 2021

Moved By Councillor DeHart/Seconded By Councillor Sieben

R0469/21/04/26 THAT Bylaw No. 12187 be adopted.

Carried

8. Mayor and Councillor Items

Councillor Sieben:

- Made comments on the impacts of COVID-19 on local sports such as youth soccer and noted some organizations have also had to cancel their 2021 season.

Councillor Hodge:

- Encouraged citizens to be vaccinated.

Councillor Donn:

- Acknowledged the Federal Government Budget and emphasis on child care funding.

Councillor Stack:

- Encouraged citizens to keep safe and to stay focused on Covid-19 restrictions and to get vaccinated.

Mayor Basran:

- Made comment that April 28th is National Day of Mourning for workplace death or occupational disease.

9. Termination

This meeting was declared terminated at 4:34 p.m.

Mayor Basran

/acm



City Clerk

REPORT TO COUNCIL



Date: May 10, 2021

To: Council

From: City Manager

Department: Development Planning

Application: Z19-0118

Owner: Ian D. Galt

Address: 2405 Taylor Crescent

Applicant: Ian D. Galt

Subject: Rezoning Application

Existing OCP Designation: S2RES - Single / Two Unit Residential

Existing Zone: RU1 - Large Lot Housing

Proposed Zone: RU1c - Large Lot Housing with Carriage House

1.0 Recommendation

THAT Rezoning Application No. Z19-0118 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 14, District Lot 14, ODYD Plan 7336, located at 2405 Taylor Crescent, Kelowna, BC from the RU1 - Large Lot Housing zone to the RU1c- Large Lot Housing with Carriage House zone, be considered by Council;

AND THAT Council, in accordance with Local Government Act s. 464(2), waive the Public Hearing for the Rezoning Bylaw;

AND THAT final adoption of the Rezoning Bylaw be considered subsequent to the outstanding conditions of approval as set out in Schedule "A" attached to the Report from the Development Planning Department dated May 10, 2021.

2.0 Purpose

To rezone the subject property from RU1 – Large Lot Housing zone to RU1c – Large Lot Housing with Carriage House zone to facilitate the development of a new carriage house, and to waive the Public Hearing.

3.0 Development Planning

Staff is supportive of the proposed rezoning from RU1 - Large Lot Housing to RU1c - Large Lot Housing with Carriage House to facilitate the development of a new carriage house.

The Official Community Plan (OCP) Future Land Use is designated as S2RES - Single/Two Unit Residential, which supports this modest increase in density and the property is located within the Permanent Growth Boundary with urban services. The concept of the carriage house is aligned with the OCP urban infill policy of Compact Urban Form - increasing density where infrastructure already exists. The proposed single storey carriage house also meets the OCP Policy of Sensitive Infill, which promotes building heights that are in context with the surrounding neighbourhood.

Should Council approve the rezoning, the applicant may apply for a building permit provided there are no variances requested.

To fulfill Council Policy No. 367, the applicant submitted a Neighbour Consultation Summary Form to staff on April 13, 2021, outlining that the neighbours within 50 m of the subject property were notified.

4.0 Proposal

4.1 Background

The subject property has a single-family dwelling which will be retained through this development.

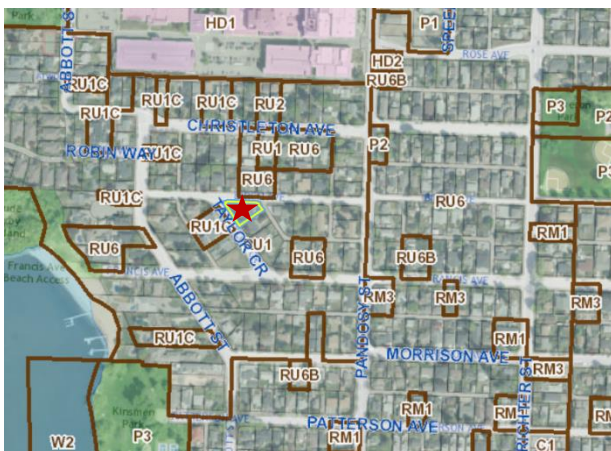
4.2 Project Description

The applicant has provided preliminary site plan design for the proposed new single storey carriage house, located at eastern corner of the lot. Access to the proposed carriage house will be from the adjacent laneway and parking requirements are met with a stall located inside the carriage house. The proposal indicates that the carriage house can be constructed to meet all Zoning Bylaw Regulations without any variances.

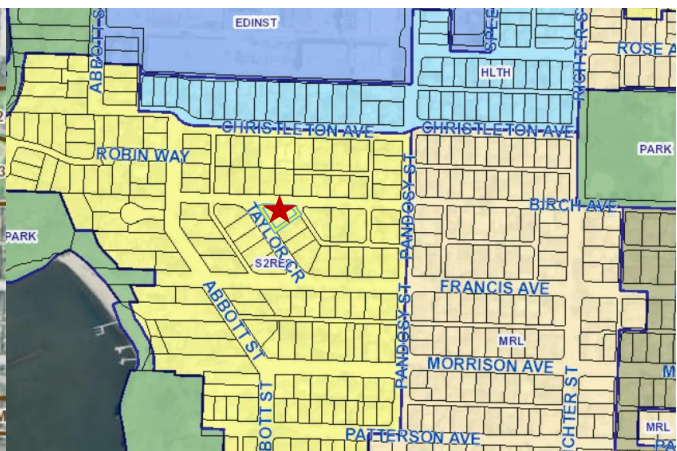
4.3 Site Context

The subject property is a corner lot located on Taylor Crescent with lane access, is connected to City sanitary sewer and is in the South Pandosy – KLO Sector of Kelowna. The surrounding residential area is characterized principally by a mix of single family and secondary dwelling units developed in various housing forms including duplexes, second dwellings, and carriage houses. The Kelowna General Hospital campus is located to the north, and many park amenities, including Francis Avenue Beach Access and Kinsmen Park are located to the west and southwest, respectively. The property is within walking distance to Pandosy Street and its many amenities.

Site Context Map:



Future Land Use Map:



Subject Property Map: 2405 Taylor Crescent



5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Chapter 1: Introduction

Goals for a Sustainable Future:

Contain Urban Growth – Reduce greenfield urban sprawl and focus growth in compact, connected and mixed-use (residential and commercial) urban and village centres.

Chapter 5: Development Process

Objective 5.3 Focus development to designated growth areas

Policy .2 Compact Urban Form. Develop a compact urban form that maximizes the use of existing infrastructure and contributes to energy efficient settlement patterns. This will be done by increasing densities (approximately 75 – 100 people and/or jobs located within a 400 metre walking distance of transit stops is required to support the level of transit service) through development, conversion, and re-development within Urban Centres (see Map 5.3) in particular and existing areas as per the provisions of the Generalized Future Land Use Map 4.1.

Objective 5.22 Ensure context sensitive housing development

Policy .6 Sensitive Infill. Encourage new development or redevelopment in existing residential areas to be sensitive to or reflect the character of the neighbourhood with respect to building design, height and siting.

Policy .12 Carriage Houses & Accessory Apartments. Support carriage houses and accessory apartments through appropriate zoning regulations.

6.0 Technical Comments

6.1 Development Engineering Department

Please see attached Development Engineering Memorandum (Schedule A), dated October 10, 2019.

7.0 Application Chronology

Date of Application Received: October 2, 2019

Date Public Consultation Completed: April 13, 2021

Report prepared by: Barbara B. Crawford, Planner II

Reviewed by: Jocelyn Black, Urban Planning Manager

Approved for Inclusion: Terry Barton, Development Planning Department Manager

Attachments:

Schedule A: Development Engineering Memo.

Attachment A: Conceptual Site Plan

CITY OF KELOWNA

MEMORANDUM

Date: October 10, 2019
File No.: Z19-0118
To: Community Planning II (BC)
From: Development Engineering Manager (JK)
Subject: 2405 Taylor Cres. RU1 to RU1c Carriage House

Development Engineering has the following comments and requirements associated with this application. The utility upgrading requirements outlined in this report will be a requirement of this development.

1. Domestic Water and Fire Protection

This property is currently serviced with a 13mm-diameter water service. One metered water service will supply both the main residence and the carriage house.

2. Sanitary Sewer

Our records indicate that this property is currently serviced with a 100mm-diameter sanitary sewer service. The service will be adequate for this application.

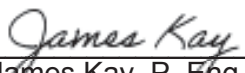
3. Development Permit and Site Related Issues

Direct the roof drains onto splash pads.

Access to the property shall be from the laneway only.

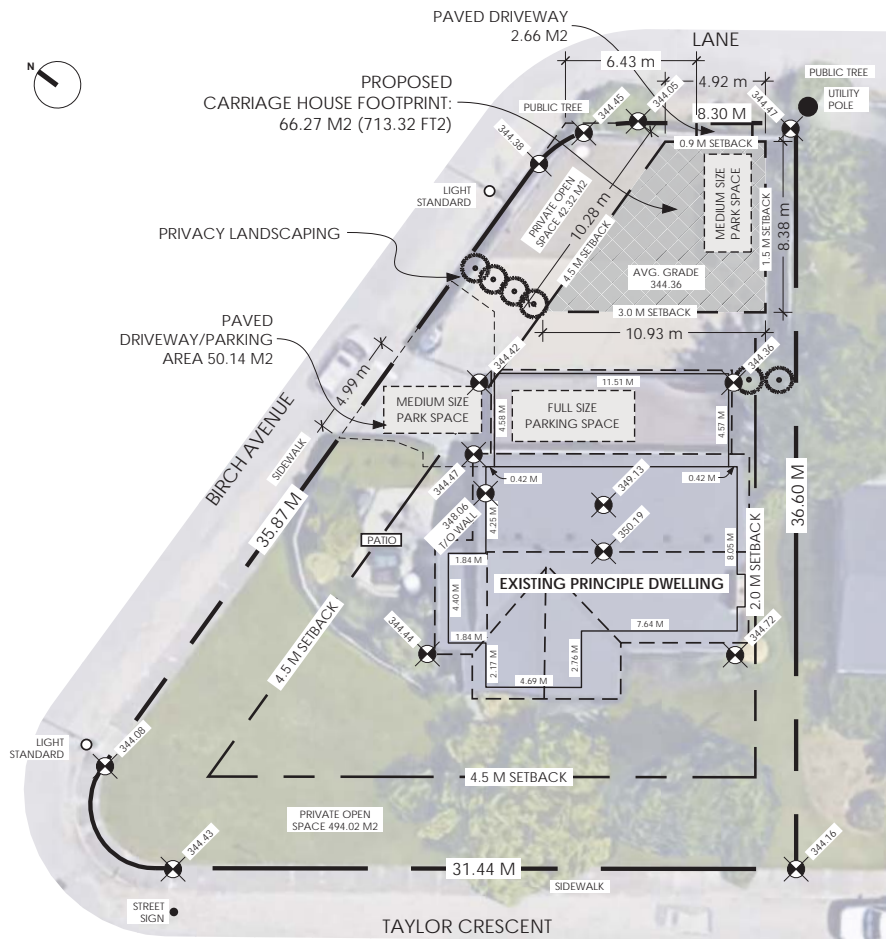
4. Electric Power and Telecommunication Services

It is the applicant's responsibility to make a servicing application with the respective electric power, telephone and cable transmission companies to arrange for service upgrades to these services which would be at the applicant's cost.



James Kay, P. Eng.
Development Engineering Manager

AS



1 SITE PLAN
ASK-01 Scale: 1 : 240

PROPOSED ZONING:

RU1C

<u>PARCEL:</u>	M	FT
AREA:	885.19	9528.11
WIDTH:	31.44	103.15
DEPTH:	36.60	120.08

AVG. GEODETIC ELEV. @
PROPOSED CARRIAGE
FCL ELEV.

<u>PRINCIPAL DWELLING UNIT:</u>	M	FT
GROSS FLOOR AREA:	173.53	1867.86
NET FLOOR AREA:	220.69	2375.49
HEIGHT TO TOP OF WALL:	3.70	12.14
HEIGHT TO MID-POINT:	4.77	15.68
HEIGHT TO PEAK:	5.83	19.13

PROPOSED CARRIAGE HOUSE:

GROSS FLOOR AREA (GFA):	MAX. 66.27	713.32
NET FLOOR AREA (NFA):	MAX. 90.00	968.75
MAX. NFA TO PRINCIPLE DWELLING UNIT:	40%	
MAX. UPPER STOREY AREA TO GFA:	49.70	534.97
HEIGHT TO MID-POINT MAX.:	4.77	15.68
HEIGHT TO PEAK MAX.:	5.83	19.13

PROPOSED SITE COVERAGE:

ALL BUILDINGS:	239.80	2581.19
PERCENTAGE:	27.09 %	
PARKING & DRIVEWAYS:	52.80	493.20
ALL BUILDINGS + PARKING & DRIVEWAYS:	285.62	3074.39
PERCENTAGE:	33.20%	

PRIVATE OPEN SPACE:

CARRIAGE HOUSE AREA	42.32	455.53
PRINCIPLE DWELLING AREA	494.02	5317.59



ISSUED FOR:	YY-MM-DD
REVIEW	19-08-20
REVIEW	19-08-21
REVIEW	19-08-22
REVIEW	19-09-27

GALT RES. - PROPOSED CARRIAGE

2405 TAYLOR CRESCENT, KELOWNA BC V1Y 1L9
PID 004-321-669, KID 122933, LOT 14, PLAN KAP7336, ZONED: RU1
CONTACT: IAN GALT, CELL: (250) 212-3858, EMAIL: IGALT@TELUS.NET



Z19-0118

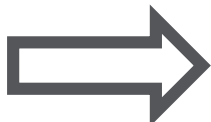
2405 Taylor Crescent

Rezoning Application

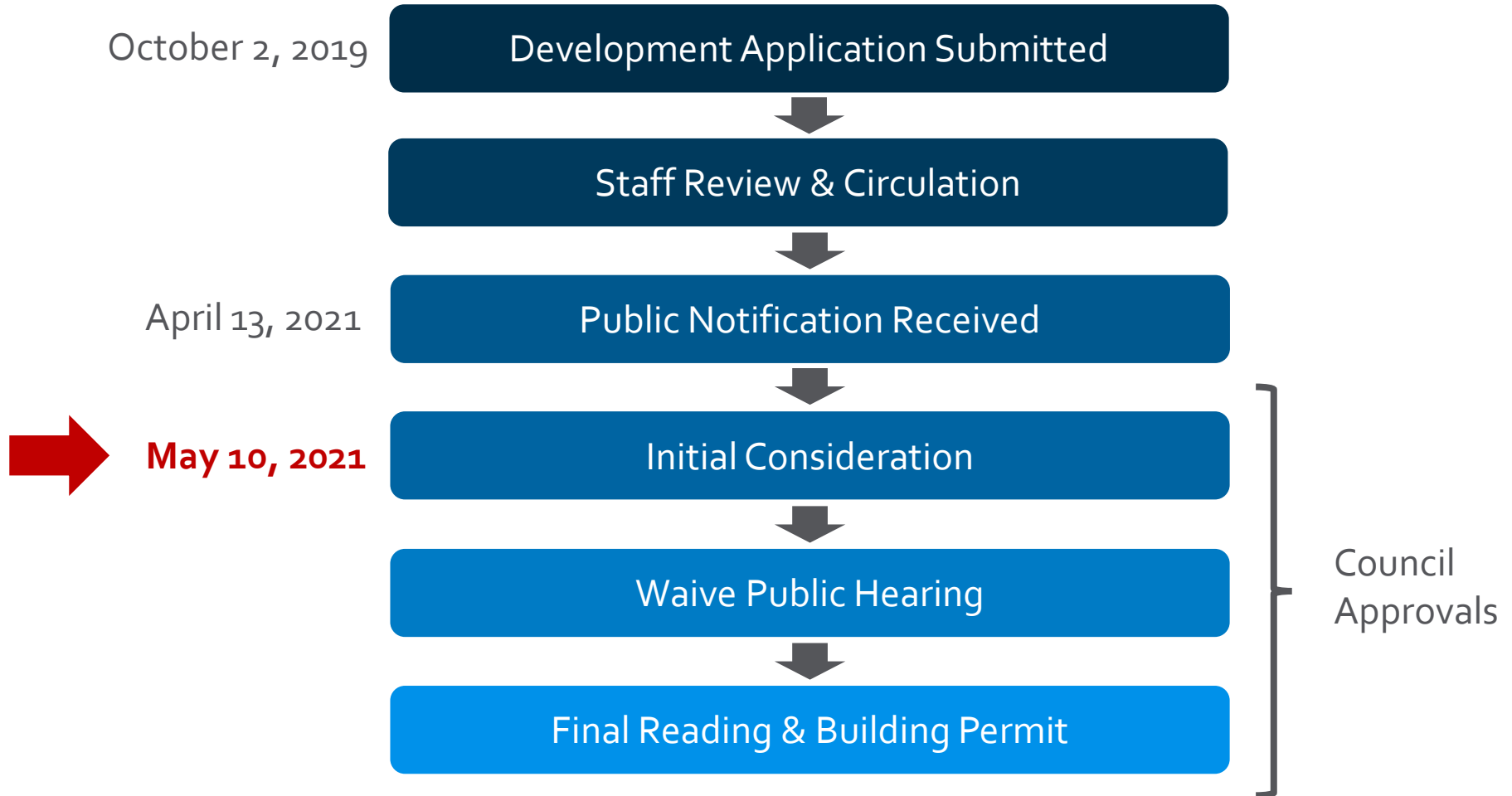


Proposal

- ▶ To consider an application to rezone the subject property from the RU1 – Large Lot Housing zone to RU1c – Large Lot Housing with Carriage House zone to facilitate the development of a new carriage house

RU1  **RU1c**

Development Process



Context Map and Zoning



Walk Score

49

Car-Dependent

Most errands require a car.

Transit Score

37

Some Transit

A few nearby public transportation options.

Bike Score

97

Biker's Paradise

Daily errands can be accomplished on a bike.

OCP Future Land Use



Subject Property Map and Project Details

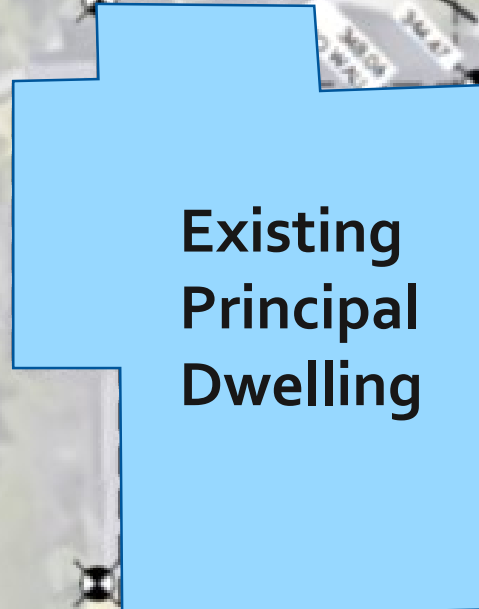


Site Plan

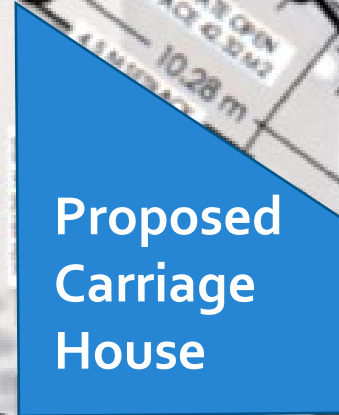


Taylor Crescent

Birch Avenue

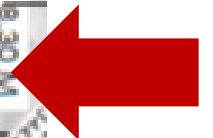


Existing
Principal
Dwelling



Proposed
Carriage
House

Lane



Development Policy

Meets the intent of the OCP:

- ▶ *Goals for a Sustainable Future* - Contain Urban Growth – Reduce greenfield urban sprawl and focus growth in compact, connected and mixed-use (residential and commercial) urban and village centres
- ▶ *Focus development to designated growth areas*
 - ▶ Compact Urban Form
- ▶ *Ensure context sensitive housing development*
 - ▶ Sensitive Infill
 - ▶ Carriage Houses & Accessory Apartments

Staff Recommendation

- ▶ Staff recommend support for the proposed rezoning of the subject property
- ▶ Meets the intent of the OCP
 - ▶ Compact Urban Form
 - ▶ Sensitive Infill
 - ▶ Carriage Houses & Accessory Apartments
- ▶ Recommend Public Hearing is waived, and the applicant apply for Building Permit



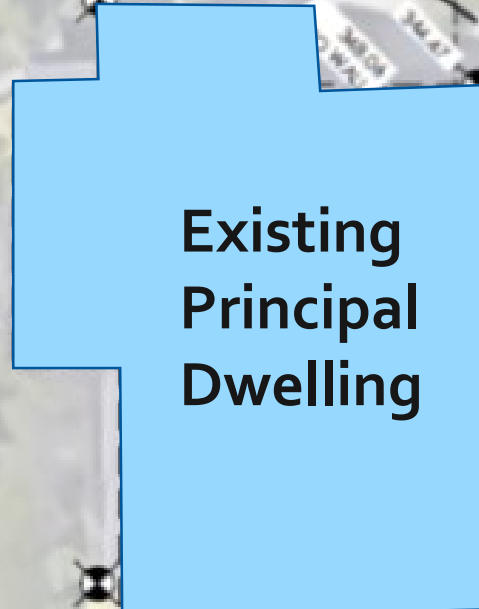
Conclusion of Staff Remarks

Site Plan

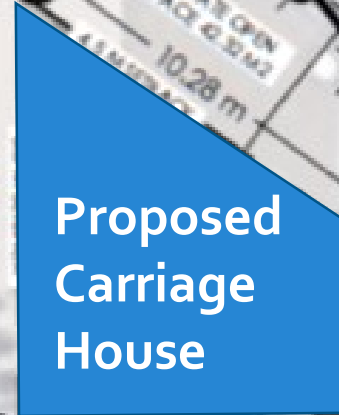


Taylor Crescent

Birch Avenue



Existing
Principal
Dwelling



Proposed
Carriage
House

Lane



CITY OF KELOWNA

BYLAW NO. 12134

Z19-0118

2405 Taylor Crescent

A bylaw to amend the "City of Kelowna Zoning Bylaw No. 8000".

The Municipal Council of the City of Kelowna, in open meeting assembled, enacts as follows:

1. THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot 14 District Lot 14 ODYD Plan 7336 located at Taylor Crescent, Kelowna, BC from the RU1 – Large Lot Housing zone to the RU1c – Large Lot Housing with Carriage House zone.
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this

Public Hearing waived by the Municipal Council this

Read a second and third time by the Municipal Council this

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

REPORT TO COUNCIL



Date: May 10, 2021

To: Council

From: City Manager

Department: Development Planning

Application: Z21-0013

Owner: James Emil Sharko & Maureen
Anne Atrens-Sharko

Address: 4617 Fordham Rd

Applicant: James Emil Sharko

Subject: Rezoning Application

Existing OCP Designation: S2RES – Single/Two Unit Residential

Existing Zone: RU1 – Large Lot Housing

Proposed Zone: RU6 – Two Dwelling Housing

1.0 Recommendation

THAT Rezoning Application No. Z21-0013 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 12 District Lot 357 ODYD Plan 17105, located at 4617 Fordham Road, Kelowna, BC from the RU1 – Large Lot Housing zone to the RU6 – Two Dwelling Housing zone be considered by Council;

AND THAT Council, in accordance with Local Government Act s. 464 (2), waive the Public Hearing for the Rezoning Bylaw;

AND THAT final adoption of the Rezoning be considered subsequent to the outstanding conditions of approval as set out in Schedule "A" attached to the Report from the Development Planning Department dated May 10, 2021;

AND FURTHER THAT final adoption of the Rezoning Bylaw be considered subsequent to the issuance of the Preliminary Layout Review Letter by the Approving Officer.

2.0 Purpose

To rezone the subject property from the RU1 – Large Lot Housing zone to the RU6 – Two Dwelling Housing zone to facilitate a 2-lot subdivision, and to waive the Public Hearing.

3.0 Development Planning

Staff support the proposal to rezone the subject property from RU1 – Large Lot Housing to RU6 – Two Dwelling Housing to facilitate a 2-lot subdivision. The subject property has a Future Land Use Designation of S2RES – Single/Two Unit Residential and is within the City’s Permanent Growth Boundary. As such, the proposed zone is consistent with the Official Community Plan’s (OCP) objectives. In addition, both proposed lots will meet the minimum dimensions of the RU6 zone. The majority of the area is zoned RU1 and RU2, but there are other RU6 zoned properties in the vicinity of the subject property.

4.0 Proposal

4.1 Project Description

The proposed rezoning from RU1 – Large Lot Housing to RU6 – Two Dwelling Housing is to facilitate a 2-lot subdivision. The property currently has one house on it, and both proposed lots will be able to meet the dimensions of the RU6 zone, and no variances are required. Both lots are proposed to be over 18.0m in width, so the applicant will have the ability to construct two dwelling units (duplex housing, semi-detached housing or two single detached houses) on each lot.

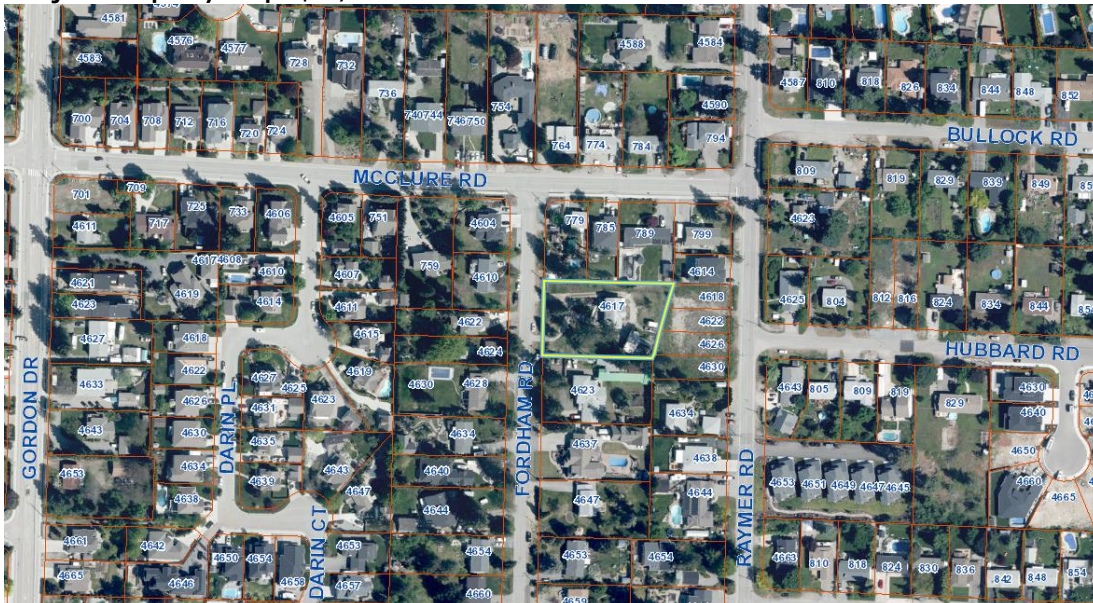
4.2 Site Context

The property is located in the North Mission – Crawford OCP Sector and is within the Permanent Growth Boundary (PGB). The surrounding area is primarily RU1 – Large Lot Housing, RU2 – Medium Lot Housing and RU6 – Two Dwelling Housing.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RU1 – Large Lot Housing	Single-Family Home(s)
East	RU2 – Medium Lot Housing	Vacant
South	RU1 – Large Lot Housing	Single-Family Home
West	RU1 – Large Lot Housing	Single-Family Home(s)

Subject Property Map: 4617 Fordham Rd



5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Chapter 1: Introduction

Goals for a Sustainable Future:

Contain Urban Growth – Reduce greenfield urban sprawl and focus growth in compact, connected, and mixed-use (residential and commercial) urban and village centres.

Chapter 5: Development Process

Objective 5.3 Focus development to designated growth areas

Policy .1 Permanent Growth Boundary. Establish a Permanent Growth Boundary as identified on Map 4.1 and Map 5.2. The City of Kelowna will support development of properties outside the PGB for more intensive use only to the extent permitted as per the OCP Future Land Use designations in place as of initial adoption of OCP Bylaw 10500, except for Agri-Business designated sites or as per Council's specific amendment of this policy. The PGB may be reviewed as part of the next major OCP update.

6.0 Technical Comments

6.1 Development Engineering Department

6.1.1 Attached Development Engineering Memorandum dated May 11th, 2021

7.0 Application Chronology

Date of Application Received: February 16, 2021

Date Public Consultation Completed: April 12, 2021

Report prepared by: Tyler Caswell, Planner I

Reviewed by: Dean Strachan, Community Planning & Development Manager

Reviewed by: Terry Barton, Development Planning Department Manager

Approved for Inclusion: Ryan Smith, Divisional Director, Planning & Development Services

Attachments:

Schedule A: Development Engineering Memo

Attachment A: Applicant Submission

MEMORANDUM

Date: March 5, 2021
File No.: Z21-0013
To: Urban Planning (TC)
From: Development Engineering Manager (JK)
Subject: 4617 Fordham Rd. RU1 to RU6

The Development Engineering Branch has the following comments and requirements associated to rezone the subject property from RU1 Large Lot Housing to RU6 Two Dwelling Housing to facilitate a two-lot subdivision.

The Development Engineering Technologist for this project is Aaron Sangster.

1. General

- a. The following requirements are valid for one (1) years from the reference date of this memo, or until the PLR and/or application has been closed, whichever occurs first. The City of Kelowna reserves the rights to update/change some or all items in this memo once these time limits have been reached.
- b. An easement will be required for the North Fork Bellevue Creek running through this property.

2. Domestic Water and Fire Protection

- a. The subject property is currently serviced with a 19mm water service. The disconnection of the existing small diameter water services and the tie-in of a larger new 50mm service can be provided by City forces at the developer's expense. One metered water service will supply the development. The applicant will be required to sign a Third Party Work Order for the cost of the water service upgrades. For estimate inquiry's please contact Aaron Sangster by email asangster@kelowna.ca or phone, 250-469-8487

3. Sanitary Sewer

- a. Our records indicate that this property is currently serviced with a 100mm-diameter sanitary sewer service. An inspection chamber (IC) complete with brooks box must be confirmed/installed on the service at the owner's cost. Service upgrades can be provided by the City at the applicant's cost. The applicant will be required to sign a Third Party Work Order for the cost of the service upgrade. For estimate inquiry's please contact Aaron Sangster by email asangster@kelowna.ca or phone, 250-469-8487.

SCHEDULE		A
This forms part of application # Z21-0013		
Planner Initials	TC	 City of Kelowna DEVELOPMENT PLANNING

4. Storm Drainage

- a. The developer must engage a consulting civil engineer to provide a storm water management plan for the site, which meets the requirements of the City Storm Water Management Policy and Design Manual. The storm water management plan must also include provision of lot grading plan, minimum basement elevation (MBE), if applicable, and recommendations for onsite drainage containment and disposal systems.
- b. On site storm drainage systems for the site will be reviewed and approved by Engineering in accordance with bylaw 7900, when a site servicing design is submitted.
- c. There is a possibility of a high water table or surcharging of storm drains during major storm events. This should be considered in the design of the onsite system.

5. Road Improvements

- a. Fordham Rd. must be upgraded to an urban standard along the full frontage of this proposed development, including roll-over curb and gutter, sidewalk, irrigated landscaped boulevard, streetlights, drainage system including catch basins, watermain upgrade, manholes and pavement removal and replacement and re-location or adjustment of utility appurtenances if required to accommodate the upgrading construction. The road cross section to be used is a SS-R4. Cash-in-lieu instead of immediate construction is required, and the City will initiate the work later, on its own construction schedule. The cash-in-lieu amount is determined to be **\$61,170.56** not including utility service cost, and Development Engineering fee to be **\$2,068.18** (\$1,969.69 + \$98.48 GST).

6. Electric Power and Telecommunication Services

- a. All proposed service connections are to be installed underground. It is the developer's responsibility to make a servicing application with the respective electric power, telephone and cable transmission companies to arrange for these services, which would be at the applicant's cost
- b. Re-locate existing utilities, where necessary.

7. Development Permit and Site Related Issues

- a. Provide all necessary Statutory Rights-of-Way for any utility corridors as required.
- b. If any road dedication affects lands encumbered by a Utility right-of-way (such as Fortis, etc.) please obtain the approval of the utility prior to application for final subdivision approval. Any works required by the utility as a consequence of the road dedication must be incorporated in the construction drawings submitted to the City's Development Manager.

8. Geotechnical Study

- a. Provide a geotechnical report prepared by a Professional Engineer competent in the field of hydro-geotechnical engineering to address the items below: NOTE: The City is relying on the Geotechnical Engineer's report to prevent any damage to property and/or injury to persons from occurring as a result of problems with soil slippage or soil instability related to this proposed subdivision. The Geotechnical reports must be submitted to the Development Services Department for distribution to the Development Engineering Branch and Inspection Services Division prior to submission of Engineering drawings or application for subdivision approval:

SCHEDULE		A
This forms part of application # Z21-0013		
Planner Initials	TC	 City of Kelowna DEVELOPMENT PLANNING

- i. Area ground water characteristics, including any springs and overland surface drainage courses traversing the property. Identify any monitoring required.
- ii. Site suitability for development.
- iii. Site soil characteristics (i.e. fill areas, sulphate content, unsuitable soils such as organic material, etc.).
- iv. Any special requirements for construction of roads, utilities and building structures.
- v. Recommendations for items that should be included in a Restrictive Covenant.
- vi. Recommendations for roof drains, perimeter drains and septic tank effluent on the site.
- vii. Any items required in other sections of this document.

Additional geotechnical survey may be necessary for building foundations, etc

12. **Charges and Fees**

- (a) Development Cost Charges (DCC's) are payable
- (b) Fees per the "Development Application Fees Bylaw" include:
 - (i) Street/Traffic Sign Fees: at cost if required (to be determined after design).
 - (ii) Survey Monument, Replacement Fee: \$1,200.00 (GST exempt) – only if disturbed.
 - (iii) A hydrant levy charge of **\$250.00** (\$250.00 per new lot.)
 - (iv) Survey Monument Fee: **\$50.00** (\$50 per newly created lot – GST exempt).



James Kay, P.Eng.
Development Engineering Manager

AS

ATTACHMENT

This forms part of application

Z21-0013

Planner
Initials

TC

City of
Kelowna
DEVELOPMENT PLANNING

A
4624



4617 FORDHAM ROAD, KELOWNA - BC

PID. 008-451-257, LOT 12

DISTRICT LOT 357, OSOYOOS DIVISION

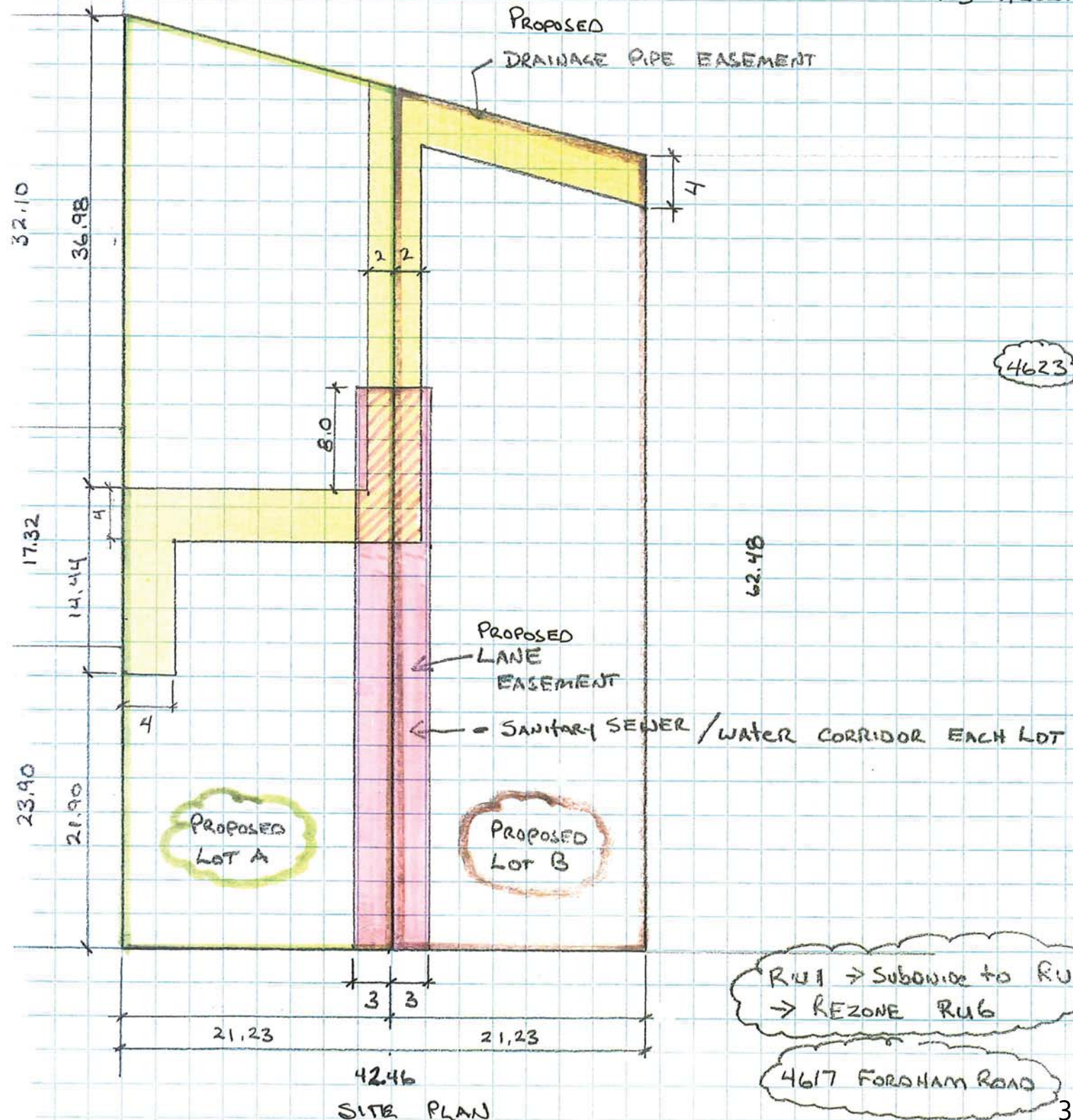
HALE DISTRICT PLAN 17105

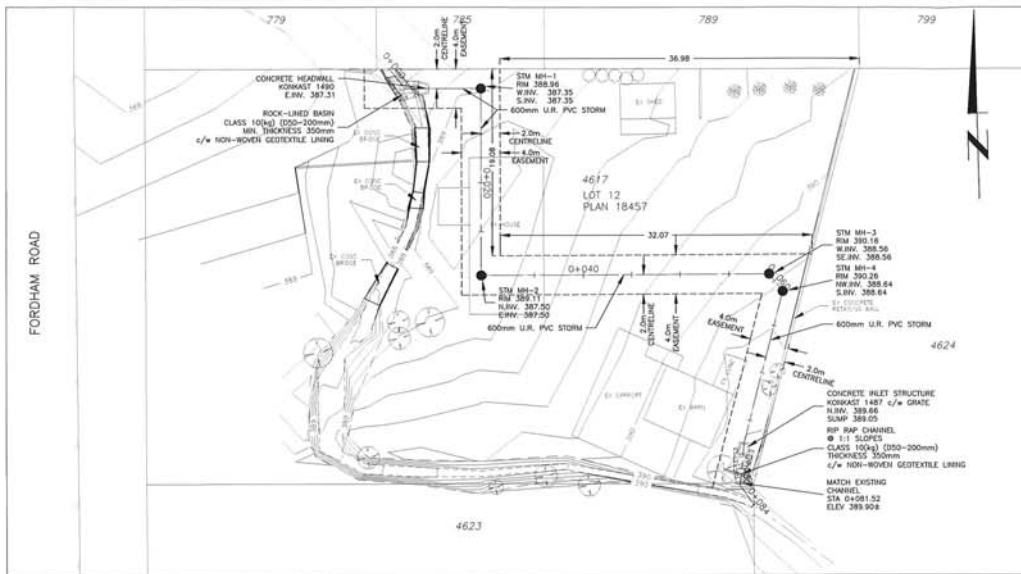
JAMES SHARKO, 5080 LAKESHORE RD

KELOWNA, B.C. V1W 4S1

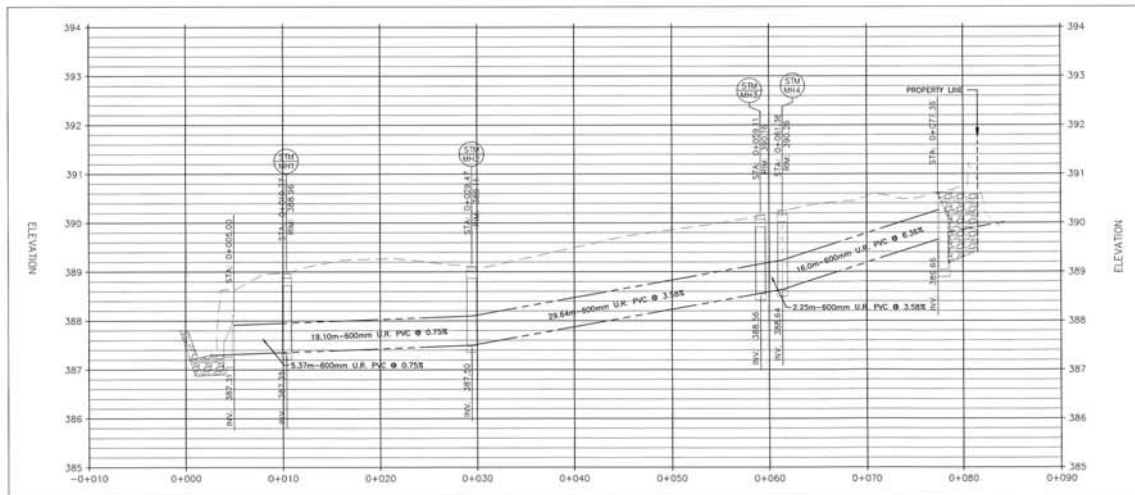
mobile 250 258-2500

FEB 4, 2021





PLAN VIEW
SCALE 1:250



PROFILE VIEW
SCALE 1:50

no.	date	issued	by	app.	no.	date	revision	by	app.

legend	proposed	existing
<ul style="list-style-type: none"> CONCRETE HEADWALL ROCK-LINED BASIN CLASS 100 (100-200mm) MIN THICKNESS 200mm 1/4" NON-WOVEN GEOTEXTILE LINING CONCRETE RILEY STRUCTURE CONCRETE RILEY 1457 1/4" GRADE SLUMP 388.65 RIP RAP CHANNEL 1:1 SLOPE CLASS 100 (100-200mm) THICKNESS 200mm 1/4" NON-WOVEN GEOTEXTILE LINING MATCH EXISTING CHANNEL STA 0+081.52 ELEV 389.908 	<ul style="list-style-type: none"> CONCRETE HEADWALL ROCK-LINED BASIN CLASS 100 (100-200mm) MIN THICKNESS 200mm 1/4" NON-WOVEN GEOTEXTILE LINING CONCRETE RILEY STRUCTURE CONCRETE RILEY 1457 1/4" GRADE SLUMP 388.65 RIP RAP CHANNEL 1:1 SLOPE CLASS 100 (100-200mm) THICKNESS 200mm 1/4" NON-WOVEN GEOTEXTILE LINING MATCH EXISTING CHANNEL STA 0+081.52 ELEV 389.908 	<ul style="list-style-type: none"> CONCRETE HEADWALL ROCK-LINED BASIN CLASS 100 (100-200mm) MIN THICKNESS 200mm 1/4" NON-WOVEN GEOTEXTILE LINING CONCRETE RILEY STRUCTURE CONCRETE RILEY 1457 1/4" GRADE SLUMP 388.65 RIP RAP CHANNEL 1:1 SLOPE CLASS 100 (100-200mm) THICKNESS 200mm 1/4" NON-WOVEN GEOTEXTILE LINING MATCH EXISTING CHANNEL STA 0+081.52 ELEV 389.908



RSB ENGINEERING	1655 Bridge Court Kelowna B.C. V1W 2Z9 Ph (250) 450-6097 Fx (250) 450-0504
client	JAMES SHARKO

4617 FORDHAM ROAD
LOT 12 PLAN 18457
CHANNEL PLAN/PROFILE

NOT FOR CONSTRUCTION

designed RSB	scale AS SHOWN	date JAN 2015
drawn TJW	project no. 119.10	rev.
checked	drawing no. C-03	approved

ATTACHMENT A

This forms part of application
Z21-0013

Planner
Initials TC





Z21-0013

4617 Fordham Road

Rezoning Application



Proposal

- ▶ To rezone the subject property from RU1 – Large Lot Housing to RU6 – Two Dwelling Housing to facilitate a 2-lot subdivision.

Development Process

Feb 16th, 2021

Development Application Submitted

Staff Review & Circulation

April 12th, 2021

Public Notification Received

May 10th, 2021

Initial Consideration

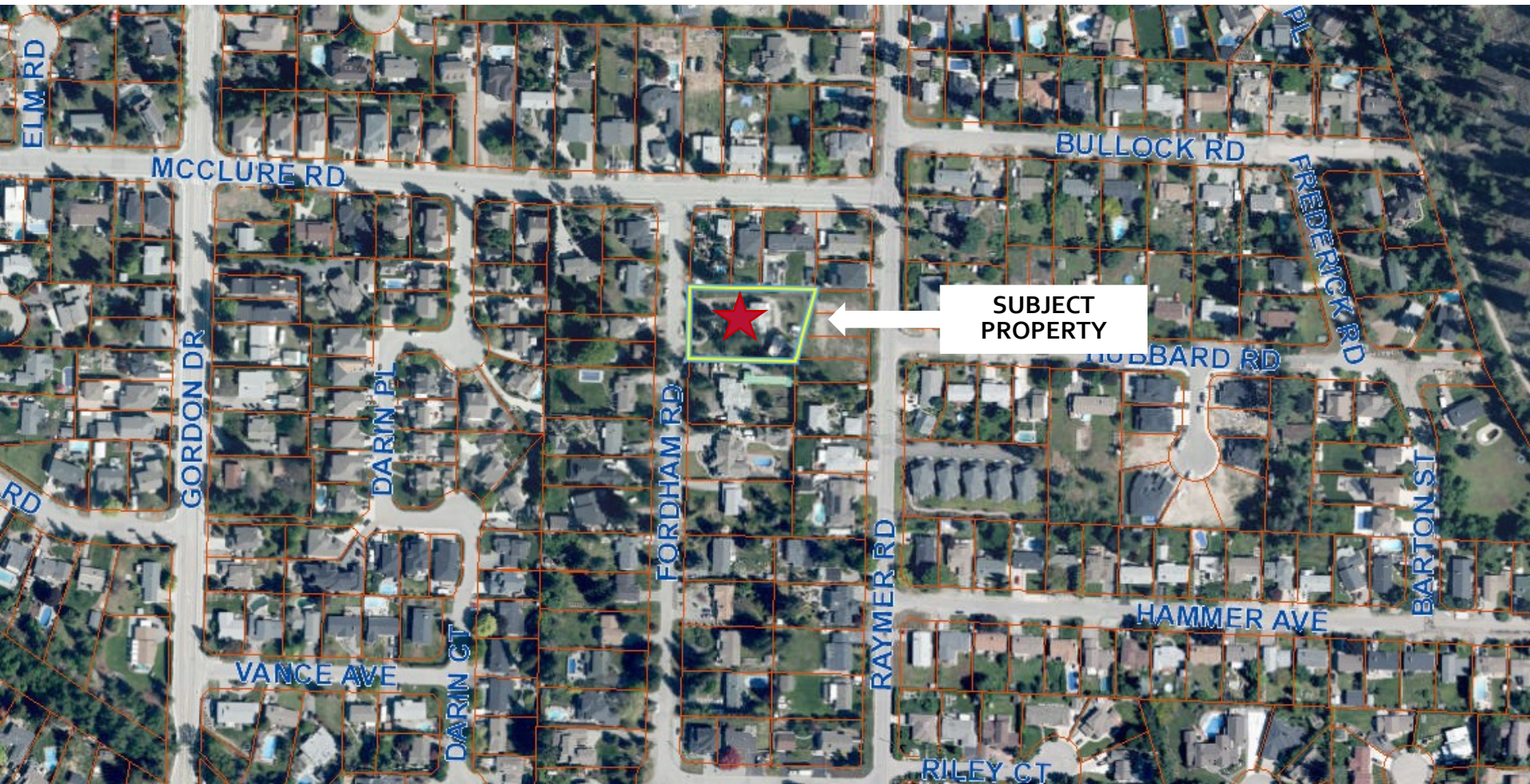
Public Hearing
Second & Third Readings

Final Reading

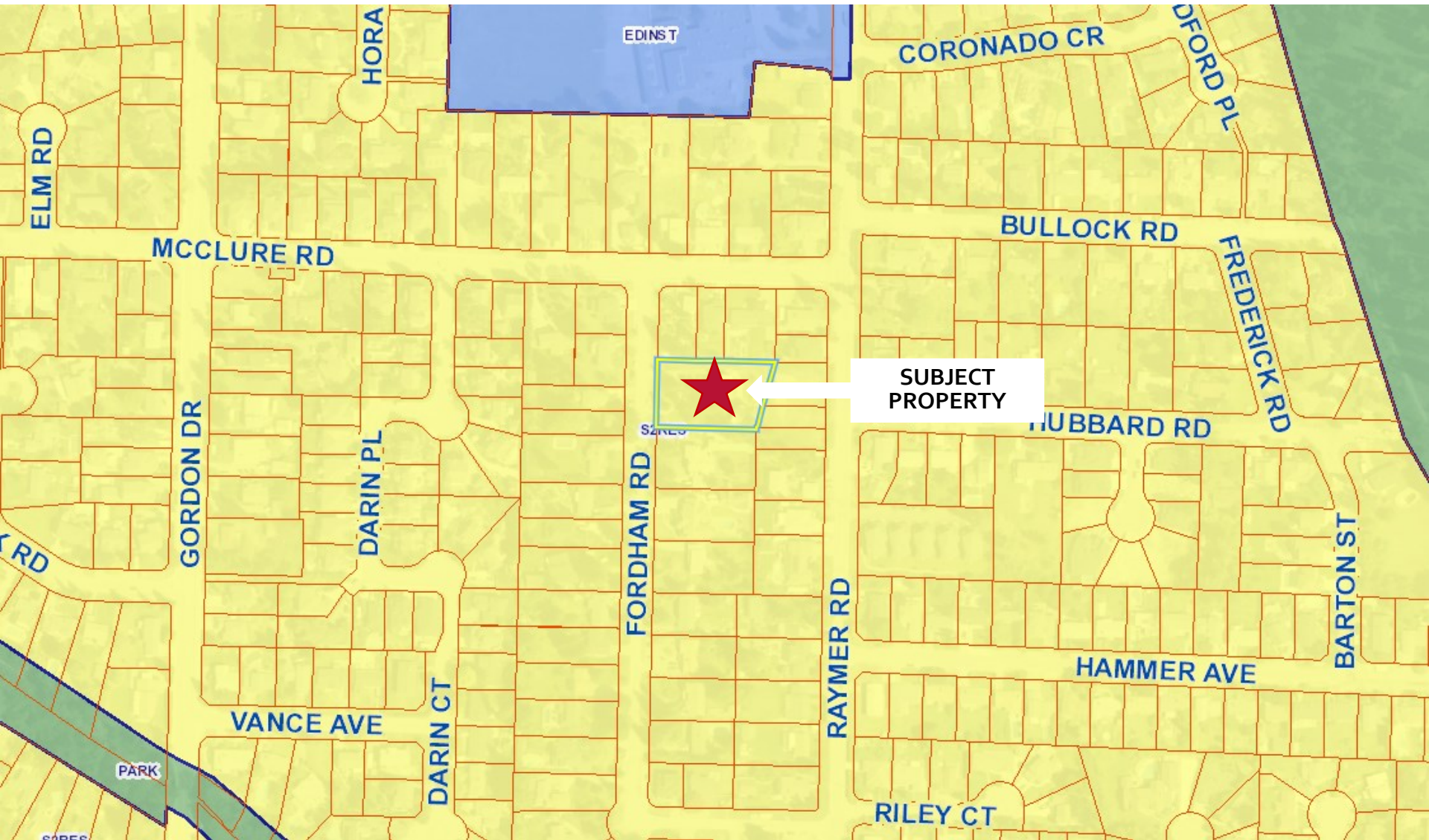
Building Permit

Council
Approvals

Context Map



OCP Future Land Use / Zoning



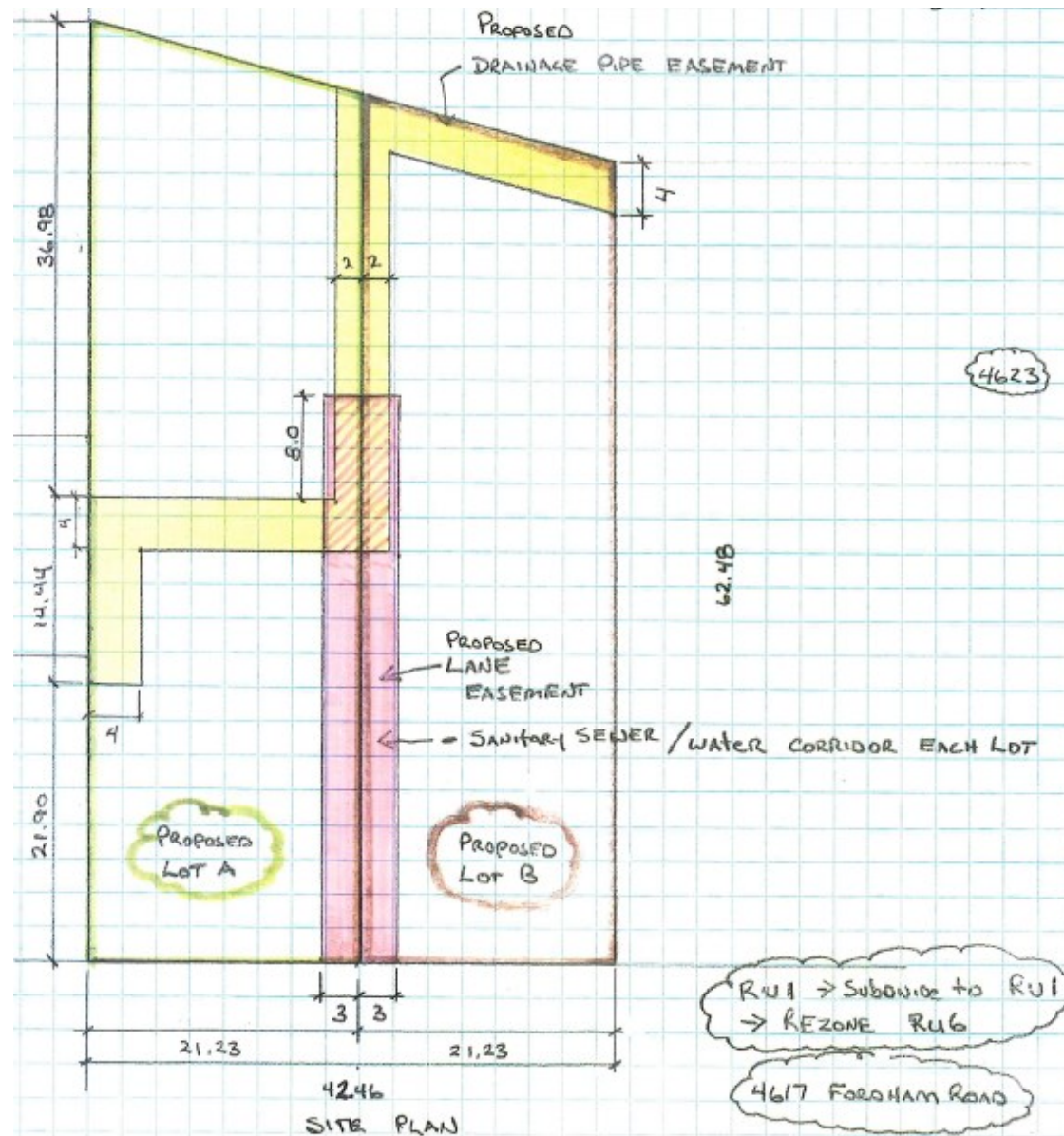
Subject Property Map



Project/technical details

- ▶ Proposed rezoning to RU6 –Two Dwelling Housing will facilitate a 2-lot subdivision.
- ▶ Both lots meet the depth, width and size of the RU6 zone.
- ▶ The property has the North Fork of Bellevue Creek run through it, which will require a Statutory-Right-Of-Way.

Site Plan



Development Policy

- ▶ Meets the intent of Official Community Plan Urban Infill Policies:
 - ▶ Within Permanent Growth Boundary
 - ▶ Sensitive Infill

Staff Recommendation

- ▶ Staff recommend **support** of the proposed rezoning to facilitate a 2-lot subdivision
- ▶ Meets the intent of the Official Community Plan
 - ▶ Urban Infill Policies
 - ▶ Appropriate location for adding residential density
- ▶ Consistent with Zoning Bylaw and the proposed lots meet the size minimums.
- ▶ Recommend the Bylaw be forwarded to Public Hearing



Conclusion of Staff Remarks

CITY OF KELOWNA

BYLAW NO. 12138

Z21-0013

4617 Fordham Road

A bylaw to amend the "City of Kelowna Zoning Bylaw No. 8000".

The Municipal Council of the City of Kelowna, in open meeting assembled, enacts as follows:

1. THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot 12 District Lot 357, ODYD, Plan 17105 located at Fordham Road, Kelowna, BC from the RU1 – Large Lot Housing zone to the RU6 – Two Dwelling Housing zone.
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this

Public Hearing waived by the Municipal Council this

Read a second and third time by the Municipal Council this

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

Report to Council



Date: May 10, 2021
To: Council
From: City Manager
Subject: Rezoning Bylaw No. 12204 for Z20-0080 Summary of Correspondence
Department: Office of the City Clerk

Recommendation:

THAT Council receives, for information, the report from the Office of the City Clerk dated May 10, 2021 with respect to the summary of correspondence received for Zoning Bylaw No. 12204;

AND THAT Rezoning Bylaw No. 12204 be forwarded for further reading consideration.

Purpose:

To receive a summary of correspondence for Rezoning Bylaw No. 12204 and to give the bylaw further reading consideration.

Background:

On January 11, 2021, Council passed a resolution directing staff to recommend that Council waive the Public Hearing for rezoning applications that are consistent with the Official Community Plan, have a recommendation of support from staff and are not expected to generate significant public input based on correspondence received. This resolution is in effect until the Order of the Provincial Health Officer regarding gatherings and events is rescinded or replaced to allow for in-person attendance at public hearings or until Council provides further direction on waiving public hearings.

The public has the opportunity to submit written correspondence for applications where the Public Hearing has been waived. Notification is done through signage on the subject property, newspaper advertisements, and mailouts in accordance with the *Local Government Act* and Development Application Procedures Bylaw No. 10540.

Previous Council Resolution

Resolution	Date
AND THAT Council direct staff to recommend that Council waive the public hearing for rezoning applications that are consistent with the Official Community Plan, have a recommendation of support from staff, and are not	January 11, 2021

expected to generate significant public input based on correspondence received at the time of the report to Council;	
--	--

Discussion:

Rezoning Application Z20-0080 for 855 DeHart Road was brought forward to Council for initial consideration on April 12, 2021. At this meeting, Council passed a resolution to waive the Public Hearing and correspondence was accepted between April 14, 2021 and April 26, 2021.

The Office of the City Clerk received one piece of correspondence and this has been circulated to Council. They are summarized as follows:

- one letter of concern/opposition

This application was brought forward with a recommendation of support from the Development Planning Department. Staff are recommending Council proceed with further readings of the Bylaw.

Conclusion:

Following the public notification period, staff are recommending that Council give Rezoning Bylaw No. 12204, located at 855 DeHart Road, further reading consideration.

Internal Circulation:

Considerations applicable to this report:

Legal/Statutory Authority:

Local Government Act s. 464(2)

Legal/Statutory Procedural Requirements:

Following the notification period under s. 467 of the *Local Government Act* and upon considering correspondence submitted, Council may choose to:

- give a bylaw further reading consideration,
- advance the bylaw to a Public Hearing, or
- defeat the bylaw.

Considerations not applicable to this report:

Existing Policy:

Financial/Budgetary Considerations:

External Agency/Public Comments:

Communications Comments:

Submitted by: R. Van Huizen, Legislative Technician

Approved for inclusion: S. Fleming, City Clerk

cc: Development Planning

CITY OF KELOWNA

BYLAW NO. 12204

Z20-0080

855 DeHart Road

A bylaw to amend the "City of Kelowna Zoning Bylaw No. 8000".

The Municipal Council of the City of Kelowna, in open meeting assembled, enacts as follows:

1. THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot 45 District Lot 358 ODYD Plan 40481 located at DeHart Road, Kelowna, BC from the RU1 – Large Lot Housing zone to the RU6 – Two Dwelling Housing zone.
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this 12th day of April, 2021.

Public Hearing Waived by the Municipal Council this 12th day of April, 2021.

Read a second and third time by the Municipal Council this

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

REPORT TO COUNCIL



Date: May 10, 2021
To: Council
From: City Manager
Department: Development Planning Department
Subject: TA20-0023

Recommendation

THAT Bylaw No. 12144 be amended at first reading to include the contents of this report;

AND THAT Zoning Bylaw Text Amendment Application TA20-0023 to amend City of Kelowna Zoning Bylaw No. 8000 as indicated in Schedule A and outlined in the Report from the Development Planning Department dated May 10, 2021 be considered by Council;

AND THAT the Zoning Bylaw Text Amendment Bylaw be forwarded to a Public Hearing for further consideration;

AND FURTHER THAT final adoption of the Zoning Bylaw Text Amending Bylaw be considered subsequent to the approval of the Ministry of Transportation and Infrastructure.

Purpose

To amend Zoning Bylaw No. 8000 by amending general fencing height regulations, adding Multiple Dwelling Housing use to C9 and home-base business use to C9 and CD-22, amending tall building urban design regulations in C4, C7 and C9, and to correct inconsistencies.

Background & Discussion

On February 2, 2021, Staff requested that Council defer 2nd and 3rd readings to complete additional consultation with stakeholders in the development industry to discuss amendments to the proposed bylaw changes. Staff engaged in those discussions and are proposing the changes outlined in this report.

Proposed Changes

Section 7 Landscaping and Screening

Staff changed the units of measurement from millimetres to meters to have a single standard of metric system used for consistency throughout the zoning bylaw.

Section 14 Commercial Zones

The allowable floor plate size in downtown Kelowna is currently 1221 m² which was an administrative error from 2017. Staff were proposing to reduce the floor plate size to 750 m² for residential, and 850 m² for commercial & hotel use. Following discussion with the development community, it was determined that the industry standards is to allow for a larger floor plate related to office use because of feasibility and the challenges of leasing smaller footprints. Staff have made an adjustment to increase the floor plate size to 930 m² for office use.

The proposed floor plate sizes, together with other important urban design regulations such as tower separation, building height and podium size are integral to establishing appropriate massing and scale of tall buildings and their impact on surrounding streets, parks, open spaces and properties. Tower floor plate size includes all built area within the building, measured from the exterior of the main walls at each floor above the base building, excluding balconies. Slender, point form towers with compact floor plates cast smaller, faster moving shadows, improve access to sky and mountain views, permit better views between buildings and through sites and contribute to a more attractive skyline. To ensure that these regulations do not eliminate the opportunity for larger mid-rise buildings such as the Innovation Centre and Interior Health building on Ellis St., the floor plate size will not apply unless the building exceeds 12 storeys or 40.0 m in height.

The final adjustment is to the setback requirements above the 4 storey or 16.0 m mark. Staff are proposing to establish a consistent 3.0m setback after the 4 storey or 16.0 m mark. This would reduce the existing sideyard setback from 4.0m to 3.0m and was a request from UDI to provide greater flexibility and building layout efficiency. Overall the setback, helps to recess the upper sections of the building from street view creating a less imposing experience and allowing greater levels of sunlight at street level. No setback will be applied to property lines abutting a rear laneways in order for the developers to achieve efficiency on less prominent elevations. The setback regulation will be included in all major mixed-use urban zones: C4, C7 and C9 zones.

Report prepared by: Jason Issler, Planning Technician II

Reviewed by: Jocelyn Black, Urban Planning Manager


Reviewed by: Terry Barton, Development Planning Department Manager

Approved for Inclusion: Ryan Smith, Divisional Director, Planning & Development Services

Attachments:

Schedule A: Summary of Changes

Schedule A – TA20-0023 – Proposed Text Amendments to Bylaw 8000.

No.	Section	Current Wording	Proposed Wording	Reason for Change
1.	Section 7 – Landscaping and Screening, 7.5 Fencing and Retaining Walls, 7.5.3.	No fence constructed at the natural grade in rural residential or residential zones shall exceed 2.0 m in height , except where abutting an agricultural or commercial zone , the maximum height is 2.4 m. Where fences are constructed adjacent to the Front Lot Line or a Flanking Street, the maximum fence height shall be 1.06 m	The maximum height for fences constructed at natural grade in rural residential zones shall not exceed 2.0 m in height , except where abutting an agricultural, industrial or commercial zone, the maximum height is 2.4 m. The maximum height for fences constructed at natural grade on commercial or industrial zoned properties shall not exceed 2.4 m. The maximum height for fences constructed at the natural grade in urban residential or multi-family zones shall not exceed 2.0 m in height , except that it shall not exceed 1.2 m in height within the minimum front yard or flanking street yard setbacks.	To update fence regulations to appropriate standards based on zoning.
<div style="border: 1px solid red; padding: 5px;"> <p style="margin: 0;">SCHEDULE A</p> <p style="margin: 0; color: red;">This forms part of application # TA20-0023</p> <div style="display: flex; align-items: center; justify-content: space-between;"> <div style="margin: 0;"> <p>Planner Initials</p> <div style="border: 1px solid black; padding: 2px 5px; display: inline-block;">JI</div> </div> <div style="text-align: center;">  <p style="margin: 0;">City of Kelowna <small>DEVELOPMENT PLANNING</small></p> </div> </div> </div>				
2.	Section 7 – Landscaping and Screening, 7.6	Notwithstanding paragraph 7.6.1, buffer widths between a	Notwithstanding paragraph 7.6.1, buffer widths between a building	To correct spelling error.

	Minimum Landscape Buffers, 7.6.5.	building or structure and the property line may be reduced to the width of the required yard if the required yard is narrower than the buffer specified in that section, with the exception of level 5 buffering.	or structure and the property line may be reduced to the width of the required yard if the required yard is narrower than the buffer specified in that section, with the exception of level 5 buffering.	
3.	Section 8 – Parking and Loading, 8.5 Off-Street Bicycle Parking, 8.5.6 Long- Term Bicycle Parking Standards (c) ii.	ii. Wall-Mounted bicycle racks located in front of an automobile stall within a parkade will only be counted towards the minimum Long-Term Bicycle Parking if the automobile stall meets the minimum Regular - size vehicle standards.	ii. Wall-Mounted bicycle racks located in front of an automobile stall within a parkade will only be counted towards the minimum Long-Term Bicycle Parking if the automobile stall meets the minimum regular - size vehicle standards.	To Correct spelling error.
4.	Section 11 – Agricultural Zones, 11.1.6 (c) Development Regulations.	(c) For lots 0.4 ha and greater, a residential footprint must be registered on title for any residential development triggered by a Farm Protection Development Permit. The maximum residential footprint is 2,000 m ² . A second residential footprint up to 1,000 m ² may be registered for a mobile home for	(c) For lots 0.4 ha and greater, a residential footprint must be registered on title for any residential development triggered by a Farm Protection Development Permit. The maximum residential footprint is 2,000 m ² . A second residential footprint up to 1,000 m ² may be registered for a mobile	To correct spelling error.

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Revised Date: 2020-11-17

		immediate family where permitted.	home for immediate family where permitted.	
5.	Section 14 – Commercial Zones, 14.4 C4 – Urban Centre Commercial, 14.4.5 Development Regulations.	N/A	<p>(h) For Mid-Rise and High-Rise structures:</p> <p>i. Any portion of a building above 16.0 m or 4 storeys (whichever is lesser) in height must setback a minimum of 3.0 m from all sides, except when abutting a laneway.</p> <p>ii. For structures taller than 40.0m or 12 storeys (whichever is lesser) in height, the floor plate above the 16.0 m or 4 storeys (whichever is lesser) cannot exceed:</p> <p>(a) 750 m² for residential use.</p> <p>(b) 850 m² for hotel use.</p>	<p>To bring buildings over 16.0m or 4 storeys in height to the same standard across all Zonings.</p> <p>To limit the floor plate size to encourage taller and slender developments to reduce overall massing.</p>

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			(c) 930 m ² for office use.	
6.	Section 14 – Commercial Zones, 14.7 C7 – Central Business Commercial, 14.7.5 Development Regulations.	<p>(h) For any building above 16.0m in height:</p> <p>i. Any portion of a building above 16.0 m in height must be a minimum of 3.0 m. from any property line abutting a street.</p> <p>ii. Any portion of a building above 16.0 m in height must be a minimum of 4.0 m from any property line abutting another property.</p> <p>iii. A building floor plate cannot exceed 1,221 m².</p>	<p>(h) For Mid-Rise and High-Rise structures:</p> <p>i. Any portion of a building above 16.0 m or 4 storeys (whichever is lesser) in height must setback a minimum of 3.0 m from all sides, except when abutting a laneway.</p> <p>ii. For structures taller than 40.0m or 12 storeys (whichever is lesser) in height, the floor plate above the 16.0 m or 4 storeys (whichever is lesser) cannot exceed:</p> <p>(a) 750 m² for residential use.</p> <p>(b) 850 m² for hotel use</p>	<p>To bring buildings over 16.0m or 4 storeys in height to the same standard across all Zonings.</p> <p>To limit the floor plate size to encourage taller and slender developments to reduce overall massing.</p>

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			(c) 930 m ² for office use.	
7.	Section 14 – Commercial Zones, 14.7 C7 – Central Business Commercial, 14.7.5 Development Regulations, Setback Table.	*Figure 1 below	*Delete	Remove table from zoning bylaw. Table no longer required as greater detail provided on floor plate sizes provided within zoning.
8.	Section 14 – Commercial Zones, 14.9 C9 – Tourist Commercial, 14.9.2 Principal Uses.	N/A	(l) multiple dwelling housing	To add multiple dwelling housing as a permitted principal use within the C9 Zoning.
9.	Section 14 – Commercial Zones, 14.9 C9 – Tourist Commercial, 14.9.3 Secondary Uses.	N/A	(m) home based businesses, minor	To allow home based businesses, minor as a permitted secondary use within residential units.
10.	Section 14 – Commercial Zones, 14.9 C9 – Tourist Commercial, 14.9.5 Development Regulations	N/A	<p>(f) For Mid-Rise and High-Rise structures:</p> <p>i. Any portion of a building above 16.0 m or 4 storeys (whichever is lesser) in height must setback a minimum of 3.0 m from all sides, except when abutting a laneway.</p> <p>iii. For structures taller than 40.0m or 12 storeys</p>	<p>To bring buildings over 16.0m in height to the same standard as Urban Centre Zonings.</p> <p>To limit the floor plate size to encourage taller and slender developments to reduce overall massing.</p>

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	<div style="border: 1px solid red; padding: 5px;"> <p>SCHEDULE A</p> <p>This forms part of application # TA20-0023</p> <div style="display: flex; justify-content: space-between; align-items: center;"> <div>Planner Initials JI</div> <div style="text-align: center;">  City of Kelowna <small>DEVELOPMENT PLANNING</small> </div> </div> </div>		<p>(whichever is lesser) in height, the floor plate above the 16.0 m or 4 storeys (whichever is lesser) cannot exceed:</p> <ul style="list-style-type: none"> (a) 750 m² for residential use. (b) 850 m² for hotel use (c) 930 m² for office use. 	
11.	Section 16- Public and Institutional Zones, 16.2 P2 – Education and Minor Institutional, 16.2.6 (d) Other Regulations.	For lots less than 1,000 m ² in area, a health services, minor use shall not generate more than six (6) clients to the site from which the business is being operated at any given time.	For lots greater than 1,000 m ² in area, a health services, minor use shall not generate more than six (6) clients to the site from which the business is being operated at any given time.	Error within zoning bylaw. Was intended to apply to lots greater than 1000 m ² .
12.	Section 18 – Schedule B – Comprehensive Development Zones CD14-CD27, CD22 – Central Green Comprehensive Development Zone, Schedule 7 – CD 22 Sub-Areas A & B Zoning, 7.3 Secondary Uses.	(k) offices (l) participant recreation services, indoor (m) personal service establishments (n) private clubs (o) public libraries and cultural exhibits	(k) home based businesses, minor (l) offices (m) participant recreation services, indoor (n) personal service establishments (o) private clubs (p) public libraries and cultural exhibits (q) religious assemblies	To permit the use of home based businesses, minor in sub areas A & B in portion of CD22.

		<p>(p) religious assemblies</p> <p>(q) retail stores, convenience</p> <p>(r) retail stores, general</p> <p>(s) short-term rental accommodation, subject to section 9.17 of this Bylaw</p> <p>(t) spectator entertainment establishments</p> <p>(u) used goods stores</p> <p>(v) utility services, minor impact</p>	<p>(r) retail stores, convenience</p> <p>(s) retail stores, general</p> <p>(t) short-term rental accommodation, subject to section 9.17 of this Bylaw</p> <p>(u) spectator entertainment establishments</p> <p>(v) used goods stores</p> <p>(w) utility services, minor impact</p>	
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*Figure 1

Setback Table

Height	Front and Flanking Yard Setback	Side Yard Setbacks	Floorplate
0.0 to 16.0 m	0.0 m	0.0 m	No restriction
16.0 m and above	3.0 m	4.0 m	1,221 m ²

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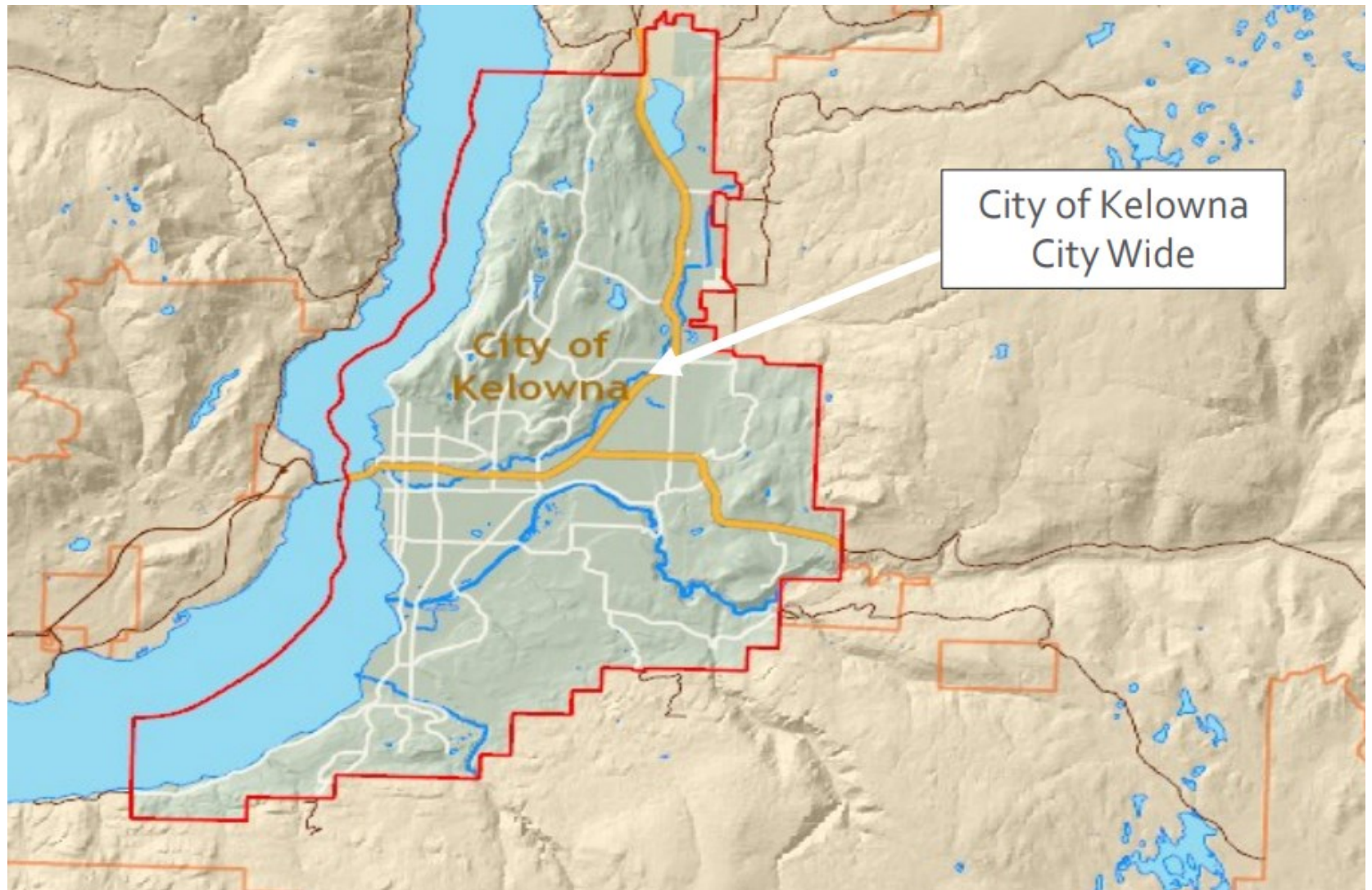

TA20-0023 Zoning Bylaw No. 8000 Amendments



Purpose

- ▶ To consider a Text Amendment application that proposes to amend general fencing height regulations, add Home Based Business, Minor & Multiple Dwelling Housing use to C9 zone and add Home Based Business, Minor to CD-22, and to amend tall building development regulations in C4, C7 and C9.

Context Map



Section 7: Landscaping and Screening

- ▶ Increase fence heights from 1.06 m to 1.2 m along front yards and flanking streets in Urban Residential and Multi-family zonings.
- ▶ Increase fence height in Rural Residential zonings to 2.0 m.

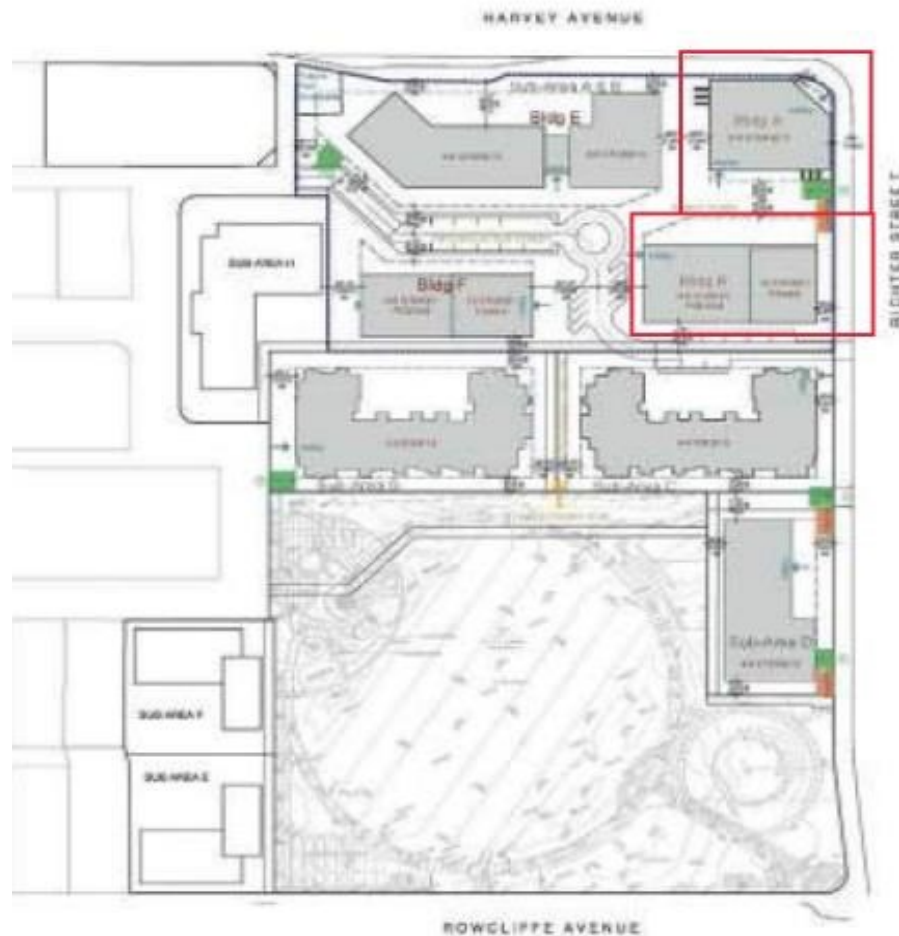


C9 – Tourist Commercial

- ▶ Add the use of Multiple Dwelling Housing into the C9 zoning as a principle use.
- ▶ Add the use of Home Based Business, Minor as a secondary use within the C9 Zoning.

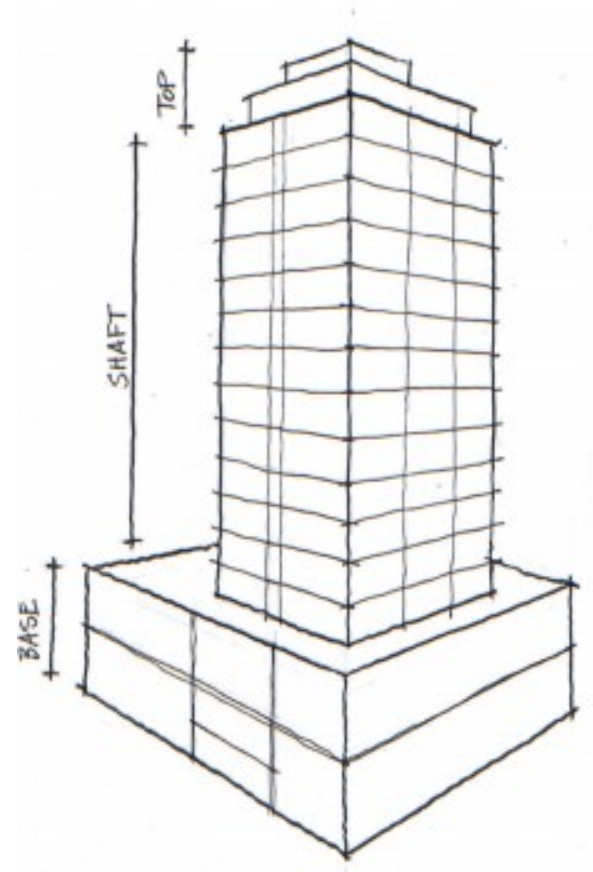
CD22 – Home Based Business

- Add the use of Home Based Business, Minor as a secondary use to Sub Areas A & B in the CD 22 Zoning (Central Green).



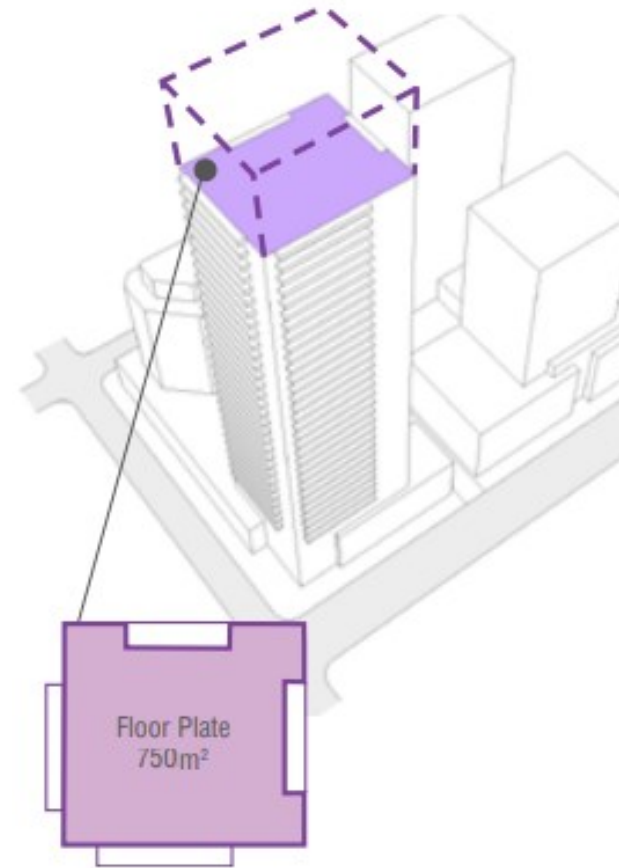
Large Structures Setbacks

- ▶ Add 3 m setback requirement after 16m, or 4 storeys, in C4 and C9 Zoning.
- ▶ Reduce minimum setback of 4 m from property line to 3 m after 16 m or 4 storeys.



Large Structure Floor Plates

- ▶ For buildings exceeding 12 storeys in height, after 16 m or 4 storeys, floorplate sizes will be limited to 750 m² for residential uses, 850 m² for hotel use and 930 m² for commercial uses.



Supporting Policies

Large Structure Setbacks

- ▶ Mitigate the actual and perceived bulk of buildings by utilizing appropriate massing by stepping back upper floors to reduce visual impact.

Reduced floor plate sizes

- ▶ Promote interesting, pedestrian friendly streetscape design and pedestrian linkages

Supporting Policies

Addition of Home Based Business Use

- ▶ Assign priority to supporting the retention, enhancement and expansion of existing businesses and the attraction of new businesses and investment identified as bringing sustainable prosperity to Kelowna

Staff Recommendation

- ▶ Staff are recommending support for the proposed Text Amendments to sections 7, 8, 11, 14, 16, and 18 of Zoning Bylaw No. 8000.



Conclusion of Staff Remarks

CITY OF KELOWNA

BYLAW NO. 12144

TA20-0023 – Amendment to Sections 7, 8, 11, 14, 16 and 18

A bylaw to amend the "City of Kelowna Zoning Bylaw No. 8000".

The Municipal Council of the City of Kelowna, in open meeting assembled, enacts as follows:

1. THAT **Section 7 – Landscaping and Screening, 7.5 Fencing and Retaining Walls, 7.5.3** be amended by:

a) Deleting the following:

"No **fence** constructed at the **natural grade** in rural residential or **residential zones** shall exceed 2.0 m in **height**, except where **abutting** an agricultural or commercial **zone**, the maximum **height** is 2.4 m. Where fences are constructed adjacent to the Front Lot Line or a Flanking Street, the maximum fence height shall be 1.06 m"

And replacing it with:

"The maximum **height** for fences constructed at **natural grade** in rural residential zones shall not exceed 2.0 m in **height**, except where **abutting** an agricultural, industrial or commercial zone, the maximum **height** is 2.4 m. The maximum **height** for fences constructed at **natural grade** on commercial or industrial zoned properties shall not exceed 2.4 m. The maximum **height** for fences constructed at the **natural grade** in urban residential or multi-family zones shall not exceed 2.0 m in **height**, except that it shall not exceed 1.2 m in **height** within the minimum **front yard** or **flanking street** yard setbacks."

2. AND THAT **Section 7 – Landscaping and Screening, 7.6 Minimum Landscape Buffers, 7.6.5** be amended by:

b) Deleting the following:

"Notwithstanding paragraph 7.6.1, buffer widths between a building or structure and the property line may be reduced to the width of the required yard if the required yard is narrower than the buffer specified in that section, with the exception of level 5 buffering."

And replacing it with:

"Notwithstanding paragraph **7.6.1**, buffer widths between a building or structure and the property line may be reduced to the width of the required yard if the required yard is narrower than the buffer specified in that section, with the exception of level 5 buffering."

3. AND THAT **Section 8 – Parking and Loading, 8.5 Off-Street Bicycle Parking, 8.5.6 Long Term Bicycle Parking Standards(c) ii** be amended by:

c) Deleting the following:

"Wall-Mounted bicycle racks located in front of an automobile stall within a parkade will only be counted towards the minimum Long-Term Bicycle Parking if the automobile stall meets the minimum Regulated - size vehicle standards."

And replacing it with:

"Wall-Mounted bicycle racks located in front of an automobile stall within a parkade will only be counted towards the minimum **Long-Term Bicycle Parking** if the automobile stall meets the minimum regular - size vehicle standards."

4. AND THAT **Section 11 – Agricultural Zones, 11.1.6(c) Development Regulations** be amended by:

Deleting the following:

"(c) For **lots** 0.4 ha and greater, a **residential footprint** must be registered on title for any residential development triggered by a Farm Protection Development Permit. The maximum **residential footprint** is 2,000 m². A second residential footprint up to 1,000 m² may be registered for a **mobile home** for **immediate family** where permitted."

And replacing it with:

"(c) For **lots** 0.4 ha and greater, a **residential footprint** must be registered on title for any residential development triggered by a Farm Protection Development Permit. The maximum **residential footprint** is 2,000 m². A second residential footprint up to 1,000 m² may be registered for a **mobile home** for **immediate family** where permitted."

5. AND THAT **Section 14 – Commercial Zones, 14.4 C4 – Urban Centre Commercial, 14.4.5 Development Regulations** be amended by adding the following in its appropriate location:

"(h) For Mid-Rise and High-Rise structures:

- i. Any portion of a building above 16.0 m or **4 storeys** (whichever is lesser) in **height** must setback a minimum of 3.0 m from all sides, except when abutting a laneway.
- ii. For structures taller than 40.0 m or **12 storeys** (whichever is lesser) in **height**, the floor plate above the 16.0 m or **4 storeys** (whichever is lesser) cannot exceed:
 - (a) 750m² for residential use.
 - (b) 850 m² for **hotel** use.
 - (c) 930m² for office use."

6. AND THAT **Section 14 – Commercial Zones, 14.7 C7 – Central Business Commercial, 14.7.5 Development Regulations** be amended by:

Deleting the following:

"(h) For any building above 16.0m in height:

- i. Any portion of a building above 16.0 m in height must be a minimum of 3.0 m. from any property line abutting a street.
- ii. Any portion of a building above 16.0 m in height must be a minimum of 4.0 m from any **property line** abutting another **property**.
- iii. A building floor plate cannot exceed 1,221 m²."

And replacing it with:

"(h) For Mid-Rise and High-Rise structures:

- i. Any portion of a building above 16.0 m or **4 storeys** (whichever is lesser) in **height** must setback a minimum of 3.0 m from all sides, except when abutting a laneway.

- ii. For structures taller than 40.0 m or 12 **storeys** (whichever is lesser) in **height**, the floor plate above the 16.0 m or 4 **storeys** (whichever is lesser) cannot exceed:

- (a) 750m² for residential use.
- (b) 850 m² for **hotel** use.
- (c) 930m² for office use."

- 7. AND THAT **Section 14 – Commercial Zones, 14.7 C7 – Centre Business Commercial, 14.7.5 Development Regulations** be amended by deleting the following:

"Setback Table

Height	Front and Flanking Yard Setback	Side Yard Setbacks	Floorplate
0.0 to 16.0 m	0.0 m	0.0 m	No restriction
16.0 m and above	3.0 m	4.0 m	1,221 m ²

- 8. AND THAT **Section 14 – Commercial Zones, 14.9 C9 – Tourist Commercial, 14.9.2 Principal Uses** be amended by adding in its appropriate location:

"(l) **multiple dwelling housing**"

- 9. AND THAT **Section 14 – Commercial Zones, 14.9 C9 – Tourist Commercial, 14.9.3 Secondary Uses** be amended by adding in its appropriate location:

"(m) **home based businesses, minor**"

- 10. AND THAT **Section 14 – Commercial Zones, 14.9 C9 – Tourist Commercial, 14.9.5 Development Regulations** be amended by adding in its appropriate location:

"(f) For Mid-Rise and High-Rise structures:

- i. Any portion of a building above 16.0 m or 4 **storeys** (whichever is lesser) in **height** must setback a minimum of 3.0 m from all sides, except when abutting a laneway.
- ii. For structures taller than 40.0 m or 12 **storeys** (whichever is lesser) in **height**, the floor plate above the 16.0 m or 4 **storeys** (whichever is lesser) cannot exceed:
 - (a) 750m² for residential use.
 - (b) 850 m² for **hotel** use.
 - (c) 930m² for office use."

- 11. AND THAT **Section 16 – Public and Institutional Zones, 16.2 P2 – Education and Minor Institutional, 16.2.6(d) Other Regulations** be amended by:

Deleting the following:

"For lots less than 1,000 m² in area, a **health services, minor** use shall not generate more than six (6) clients to the site from which the business is being operated at any given time."

And replacing it with:

"For lots greater than 1,000 m² in area, a **health services, minor** use shall not generate more than six (6) clients to the site from which the business is being operated at any given time."

12. AND THAT **Section 18 – Schedule B – Comprehensive Development Zones, CD14–CD27, CD22 – Central Green Comprehensive Development Zone, Schedule 7 – CD22 Sub-Areas A & B Zoning, 7.3 Secondary Uses** be amended by adding in its appropriate location:

“(w) **home based businesses, minor**”

13. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this 18th day of January, 2021.

Considered at a Public Hearing on the

Read a second and third time by the Municipal Council this

Approved under the Transportation Act this

(Approving Officer – Ministry of Transportation)

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

CITY OF KELOWNA
BYLAW NO. 11869
Z19-0040 – 515 Rutland Road North

A bylaw to amend the "City of Kelowna Zoning Bylaw No. 8000".

The Municipal Council of the City of Kelowna, in open meeting assembled, enacts as follows:

1. THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot A Section 26 Township 26 ODYD Plan 7893 located at Rutland Road North, Kelowna, BC from the RU1 – Large Lot Housing zone to the RM3 – Low Density Multiple Housing zone.
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this 15th day of July, 2019.

Considered at a Public Hearing on the 30th day of July, 2019.

Read a second and third time by the Municipal Council this 30th day of July, 2019.

Approved under the Transportation Act this 31st day of July, 2019.

Audrie Henry

(Approving Officer – Ministry of Transportation)

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

REPORT TO COUNCIL



Date: May 10, 2021

To: Council

From: City Manager

Department: Development Planning

Application: DP19-0008

Owner: 1918951 Alberta Ltd.

Address: 515 Rutland Road North

Applicant: New Town Services

Subject: Development Permit Application

Existing OCP Designation: MRL – Multiple Unit Residential (Low Density)

Existing Zone: RM3 – Low Density Multiple Residential

1.0 Recommendation

THAT final adoption of Rezoning Bylaw No. 11869 be considered by Council;

AND THAT Council authorizes the issuance of Development Permit No. DP19-0008 for Lot A Section 26 Township 26 Osoyoos Division Yale District Plan 7893, located at 515 Rutland Road North, Kelowna, BC subject to the following:

1. The dimensions and siting of the building to be constructed on the land be in accordance with Schedule "A";
2. The exterior design and finish of the building to be constructed on the land, be in accordance with Schedule "B";
3. Landscaping to be provided on the land be in accordance with Schedule "C";
4. The applicant be required to post with the City a Landscape Performance Security deposit in the form of a "Letter of Credit" in the amount of 125% of the estimated value of the landscaping, as determined by a Registered Landscape Architect;

AND THAT the applicant be required to complete the above noted conditions of Council's approval of the Development Permit Application in order for the permits to be issued;

AND FURTHER THAT this Development Permit is valid for two (2) years from the date of Council approval, with no opportunity to extend.

2.0 Purpose

To consider the form and character of a multiple dwelling housing development.

3.0 Development Planning

Staff recommends support for the Development Permit application. The proposal is consistent with the Official Community Plan Future Land Use designation for the subject property, and apartment housing is a permitted building structure within the RM3 – Low Density Multiple Residential zone, with no variances being requested.

The project consists of one three-storey building, which contains 17 dwelling units. The form and character meets design guidelines in the OCP. Overall, the proposed design achieves the following form and character objectives from the OCP's Comprehensive Design Guidelines:

- Use of a variety of materials to create contrast and reduce the apparent mass of a building;
- Facades are articulated to create visual interest; and
- Materials from the front elevation are continued around building corners to areas visible to the public.

The property is located within the Permanent Growth Boundary in the City's Rutland OCP Sector. The increase in density at this location is supported by local amenities, such as parks, schools, transit and recreational opportunities in the immediate area.

4.0 Proposal

4.1 Background

The subject property is zoned RM3 – Low Density Multiple Residential and has a Future Land Use Designation in the City's OCP of MRL – Multiple Unit Residential (Low Density). It is approximately 0.49 acres in area and currently an existing single-family dwelling exists on site. This dwelling would be demolished to facilitate this development.

4.2 Project Description

This application is for a 3-storey, 17-unit apartment building that provides a mix of one and two-bedroom units. The proposal includes two ground-oriented units fronting Rutland Road North, which have small private patio spaces. A common building entrance is also prominently featured along this Rutland Road North elevation. The building is finished with a variety of materials, which primarily includes fibre cement panels and brick veneer. Accent materials include imitated wood fascia and corrugated metal panels.

Surface parking has been proposed with the intention of providing a more affordable product than would be possible if constructing underground parking. Vehicular access to the site will be from the south portion of the parcel which leads to this surface parking lot. This proposal meets on-site vehicular and bicycle parking requirements, and 25 vehicular parking stalls are provided on site. This proposal has been evaluated off the previous Zoning Bylaw parking regulations, as the Development Permit application was submitted prior to a recent regulation change.

Landscaping is proposed around the perimeter of the site and adjacent to the building. The landscaping plan proposes a number of trees, including honeylocust and rocky mountain maple, around the north and east property lines, as well as on the Rutland Road North frontage. Additional landscaping is provided in the form of shrubs, perennials and grasses.

4.3 Site Context

The subject property is located on Rutland Road North, south of Hardie Road and north of Briarwood Road. The property is in the Rutland City Sector, and is directly north of the Rutland Urban Centre. The neighbourhood is characterized by single and two family dwelling and low density multiple dwelling housing.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RU1 – Large Lot Housing	Single and Two Dwelling Housing
East	RU1 – Large Lot Housing RM1 – Four Dwelling Housing	Single and Two Dwelling Housing
South	RM3 – Low Density Multiple Housing	Multiple Dwelling Housing
West	RU1 – Large Lot Housing	Single and Two Dwelling Housing

Subject Property Map: 515 Rutland Rd North



4.4 Zoning Analysis Table

Zoning Analysis Table		
CRITERIA	RM ₃ ZONE REQUIREMENTS	PROPOSAL
Development Regulations		
Max. Floor Area Ratio	0.75	0.61
Max. Site Coverage (buildings)	40 %	26 %
Max. Site Coverage (buildings, parking, driveways)	65 % (with permeable paver bonus)	64 %
Max. Height	10 m / 3 storeys	9.6 m / 3 storeys
Min. Front Yard	1.5 m	1.5 m
Min. Side Yard (south)	4.5 m	15.8 m
Min. Side Yard (north)	4.5 m	5.2 m
Min. Rear Yard	7.0 m	15.8 m
Other Regulations		
Min. Parking Requirements	25 stalls	25 stalls
Min. Bicycle Parking	9 class I 2 class II	9 class I 2 class II
Min. Private Open Space	375 m ²	464 m ²

5.0 **Current Development Policies**

5.1 Kelowna Official Community Plan (OCP)

Chapter 1: Introduction

Goals for a Sustainable Future:

Contain Urban Growth. Reduce greenfield urban sprawl and focus growth in compact, connected and mixed-use (residential and commercial) urban and village centres.

Address Housing Needs of All Residents. Address housing needs of all residents by working towards an adequate supply of a variety of housing.

Chapter 5: Development Process

Objective 5.22 Ensure context sensitive housing development.

Policy .6 Sensitive Infill. Encourage new development or redevelopment in existing residential areas to be sensitive to or reflect the character of the neighbourhood with respect to building design, height, and siting.

Policy .11 Housing Mix. Support a greater mix of housing unit size, form and tenure in new multi-unit residential and mixed-use developments.

Objective 5.23 Address the needs of families with children through the provision of appropriate family-oriented housing.

Policy .1 Ground-Oriented Housing. Encourage all multiple-unit residential buildings in neighbourhoods with schools and parks to contain ground-oriented units with two or more bedrooms so as to provide a family housing choice within the multi-unit rental or ownership markets. High density residential projects in the Downtown area are encouraged to include a ground-oriented housing component, especially where such can be provided on non-arterial and non-collector streets.

6.0 Technical Comments

6.1 Development Engineering Department

This application does not compromise any City of Kelowna municipal infrastructure. Development Engineering Requirements associated with Z19-0040 have been met.

7.0 Application Chronology

Date of Application Received:	January 9, 2019
Date Public Consultation Completed:	April 12, 2019
Zoning Bylaw Initial Consideration:	July 15, 2019
Zoning Bylaw Public Hearing:	July 30, 2019

Report prepared by:	Kimberly Brunet, Planner II
Reviewed by:	Jocelyn Black, Urban Planning Manager
Approved for Inclusion:	Terry Barton, Development Planning Department Manager

Attachments:

Attachment A: Comprehensive Development Permit Design Guidelines Checklist

Attachment B: Renderings

Attachment C: Draft Development Permit No. DP19-0008

Schedule A: Site Plan

Schedule B: Floorplans, Building Elevations, Cross-Section, Materials and Colour Board

Schedule C: Landscaping Plan

**DEVELOPMENT PERMIT GUIDELINES***Comprehensive Development Permit Area*

Consideration has been given to the following guidelines as identified in Section 14.A. of the City of Kelowna Official Community Plan relating to Comprehensive Development Permit Areas:

COMPREHENSIVE DEVELOPMENT PERMIT AREA	YES	NO	N/A
Authenticity and Regional Expression			
Do landscaping and building form convey a character that is distinct to Kelowna and the Central Okanagan?	✓		
Are materials in keeping with the character of the region?	✓		
Are colours used common in the region's natural landscape?	✓		
Does the design provide for a transition between the indoors and outdoors?	✓		
Context			
Does the proposal maintain the established or envisioned architectural character of the neighbourhood?	✓		
Does interim development consider neighbouring properties designated for more intensive development?			✓
Are façade treatments facing residential areas attractive and context sensitive?	✓		
Are architectural elements aligned from one building to the next?			✓
For exterior changes, is the original character of the building respected and enhanced?			✓
Is the design unique without visually dominating neighbouring buildings?	✓		
For developments with multiple buildings, is there a sense of architectural unity and cohesiveness?			✓
Relationship to the Street			
Do buildings create the desired streetscape rhythm?	✓		
Are parkade entrances located at grade?			✓
For buildings with multiple street frontages, is equal emphasis given to each frontage?			✓
Massing and Height			
Does the design mitigate the actual and perceived mass of buildings?	✓		
Does the height consider shading and view impacts for neighbouring properties and transition to less intensive areas?		✓	
Human Scale			
Are architectural elements scaled for pedestrians?	✓		
Are façades articulated with indentations and projections?	✓		

COMPREHENSIVE DEVELOPMENT PERMIT AREA	YES	NO	N/A
Are top, middle and bottom building elements distinguished?			✓
Do proposed buildings have an identifiable base, middle and top?			✓
Are building facades designed with a balance of vertical and horizontal proportions?	✓		
Are horizontal glazed areas divided into vertically proportioned windows separated by mullions or building structures?	✓		
Does the design incorporate roof overhangs and the use of awnings, louvers, canopies and other window screening techniques?	✓		
Is the visual impact of enclosed elevator shafts reduced through architectural treatments?	✓		
Exterior Elevations and Materials			
Are buildings finished with materials that are natural, local, durable and appropriate to the character of the development?	✓		
Are entrances visually prominent, accessible and recognizable?	✓		
Are higher quality materials continued around building corners or edges that are visible to the public?	✓		
Are a variety of materials used to create contrast, enhance the pedestrian environment and reduce the apparent mass of a building?	✓		
Are elements other than colour used as the dominant feature of a building?	✓		
Public and Private Open Space			
Does public open space promote interaction and movement through the site?			✓
Are public and private open spaces oriented to take advantage of and protect from the elements?	✓		
Is there an appropriate transition between public and private open spaces?	✓		
Are amenities such as benches, garbage receptacles, bicycle stands and community notice boards included on site?	✓		
Site Access			
Is the safe and convenient movement of pedestrians prioritized?	✓		
Are alternative and active modes of transportation supported through the site design?	✓		
Are identifiable and well-lit pathways provided to front entrances?	✓		
Do paved surfaces provide visual interest?		✓	
Is parking located behind or inside buildings, or below grade?		✓	
Are large expanses of parking separated by landscaping or buildings?		✓	
Are vehicle and service accesses from lower order roads or lanes?			✓

COMPREHENSIVE DEVELOPMENT PERMIT AREA	YES	NO	N/A
Do vehicle and service accesses have minimal impact on the streetscape and public views?	✓		
Is visible and secure bicycle parking provided in new parking structures and parking lots?	✓		
Environmental Design and Green Building			
Does the proposal consider solar gain and exposure?			✓
Are green walls or shade trees incorporated in the design?	✓		
Does the site layout minimize stormwater runoff?	✓		
Are sustainable construction methods and materials used in the project?	✓		
Are green building strategies incorporated into the design?			✓
Decks, Balconies, Rooftops and Common Outdoor Amenity Space			
Are decks, balconies or common outdoor amenity spaces provided?	✓		
Does hard and soft landscaping enhance the usability of decks, balconies and outdoor amenity spaces?	✓		
Are large flat expanses of roof enhanced with texture, colour or landscaping where they are visible from above or adjacent properties?			✓
Amenities, Ancillary Services and Utilities			
Are loading, garage, storage, utility and other ancillary services located away from public view?			✓
Are vents, mechanical rooms / equipment and elevator penthouses integrated with the roof or screened with finishes compatible with the building's design?			✓
Landscape Development and Irrigation Water Conservation			
Does landscaping:	-	-	-
• Compliment and soften the building's architectural features and mitigate undesirable elements?	✓		
• Maintain the dominant pattern of landscaping along the street and surrounding properties?	✓		
• Enhance the pedestrian environment and the sense of personal safety?	✓		
• Screen parking areas, mechanical functions, and garbage and recycling areas?	✓		
• Respect required sightlines from roadways and enhance public views?	✓		
• Retain existing healthy mature trees and vegetation?		✓	
• Use native plants that are drought tolerant?	✓		
• Define distinct private outdoor space for all ground-level dwellings?	✓		
Do any fences and retaining walls create visual interest and enhance the pedestrian environment?			✓

COMPREHENSIVE DEVELOPMENT PERMIT AREA	YES	NO	N/A
Do parking lots have one shade tree per four parking stalls?	✓		
Does the Landscape Architect's Landscape Water Conservation Report:	-	-	-
<ul style="list-style-type: none"> Meet the requirements for Landscape Water Budget calculations for the landscaped area? 	✓		
<ul style="list-style-type: none"> Indicate how the development complies with or varies from the Landscape Water Conservation Guidelines? 	✓		
<i>Landscape Water Conservation Guidelines</i>			
Are plants grouped into "hydro-zones" of high, medium and low or unirrigated / unwatered areas?	✓		
Does at least 25% of the total landscaped area require no irrigation / watering?		✓	
Does at least 25% of the total landscaped area require low water use?	✓		
Does at most 50% of the total landscaped area require medium or high water use?		✓	
Is mulch cover provided for shrubs and groundcover to reduce soil evaporation?	✓		
Do water features such as pools and fountains use recirculated water systems?			✓
Do landscape installation standards meet the requirements of the BC Landscape Standard and / or the Master Municipal Construction Document?			✓
Are the required written declarations signed by a qualified Landscape Architect?	✓		
<i>Irrigation System Guidelines</i>			
Is the Irrigation Plan prepared by a Qualified Professional?	✓		
Are irrigation circuits grouped into "hydro-zones" of high, medium and low or unirrigated / unwatered areas consistent with the landscaping plan?	✓		
Is drip or low volume irrigation used?	✓		
Are the required written declarations signed by a qualified Certified Irrigation Designer?	✓		
Crime prevention			
Are CPTED practices as related to landscaping, siting, form and exterior design included in the design?		✓	
Are building materials vandalism resistant?		✓	
Universal Accessible Design			
Is access for persons with disabilities integrated into the overall site plan and clearly visible from the principal entrance?		✓	
Are the site layout, services and amenities easy to understand and navigate?	✓		
Lakeside Development			
Are lakeside open spaces provided or enhanced?			✓

COMPREHENSIVE DEVELOPMENT PERMIT AREA	YES	NO	N/A
Are lake views protected?			✓
Does lakeside development act as a transition between the lake and inland development?			✓
Signs			
Do signs contribute to the overall quality and character of the development?			✓
Is signage design consistent with the appearance and scale of the building?			✓
Are signs located and scaled to be easily read by pedestrians?			✓
For culturally significant buildings, is the signage inspired by historical influences?			✓
Lighting			
Does lighting enhance public safety?			✓
Is "light trespass" onto adjacent residential areas minimized?			✓
Does lighting consider the effect on the façade, neighbouring buildings and open spaces?			✓
Is suitably scaled pedestrian lighting provided?			✓
Does exterior street lighting follow the International Dark Sky Model to limit light pollution?			✓



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Revisions		
No	Date	Description
1	APR 02, 2019	RE-ISSUED FOR DP

project title
RUTLAND MULTI-FAMILY DEVELOPMENT

project address
515 RUTLAND ROAD N,
KELOWNA, BC

project no. 4057

file no.

drawing title
RENDERINGS

ATTACHMENT B

This forms part of application
DP19-0008

Planner Initials KB

City of Kelowna
DEVELOPMENT PLANNING



designed	R.Y.	scale
drawn	R.Y./A.	
checked	R.Y.	
drawing no.	A5.01	
plotted	MAR 11, 2021	

Development Permit DP19-0008

This permit relates to land in the City of Kelowna municipally known as

515 Rutland Road North

and legally known as

Lot A Section 26 Township 26 Osoyoos Division Yale District Plan 7893

and permits the land to be used for the following development:

Multiple Dwelling Housing

The present owner and any subsequent owner of the above described land must comply with any attached terms and conditions.

Date of Council Decision May 10, 2021

Decision By: Council

Development Permit Area: Comprehensive Development Permit Area

Existing Zone: RM3 – Low Density Multiple Residential

Future Land Use Designation: MRL – Multiple Unit Residential (Low Density)

This is NOT a Building Permit.

In addition to your Development Permit, a Building Permit may be required prior to any work commencing. For further information, contact the City of Kelowna, Development Services Branch.

NOTICE

This permit does not relieve the owner or the owner's authorized agent from full compliance with the requirements of any federal, provincial or other municipal legislation, or the terms and conditions of any easement, covenant, building scheme or agreement affecting the building or land.

Owner: 1918951 Alberta Ltd.

Applicant: New Town Services

Planner: K. Brunet

Terry Barton
Community Planning Department Manager
Planning & Development Services

Date

1. SCOPE OF APPROVAL

This Development Permit applies to and only to those lands within the Municipality as described above, and any and all buildings, structures and other development thereon.

This Development Permit is issued subject to compliance with all of the Bylaws of the Municipality applicable thereto, except as specifically varied or supplemented by this permit, noted in the Terms and Conditions below.

The issuance of a permit limits the permit holder to be in strict compliance with regulations of the Zoning Bylaw and all other Bylaws unless specific variances have been authorized by the Development Permit. No implied variances from bylaw provisions shall be granted by virtue of drawing notations that are inconsistent with bylaw provisions and that may not have been identified as required Variances by the applicant or Municipal staff.

2. CONDITIONS OF APPROVAL

- The dimensions and siting of the building to be constructed on the land be in accordance with Schedule "A";
- The exterior design and finish of the building to be constructed on the land be in accordance with Schedule "B";
- Landscaping to be provided on the land be in accordance with Schedule "C"; and
- The applicant be required to post with the City a Landscape Performance Security deposit in the form of a "Letter of Credit" in the amount of 125% of the estimated value of the landscaping, as determined by a Registered Landscape Architect.

This Development Permit is valid for two (2) years from the date of approval, with no opportunity to extend.

3. PERFORMANCE SECURITY

As a condition of the issuance of this Permit, Council is holding the security set out below to ensure that development is carried out in accordance with the terms and conditions of this Permit. Should any interest be earned upon the security, it shall accrue to the Developer and be paid to the Developer or his or her designate if the security is returned. The condition of the posting of the security is that should the Developer fail to carry out the development hereby authorized, according to the terms and conditions of this Permit within the time provided, the Municipality may enter into an agreement with the property owner of the day to have the work carried out, and any surplus shall be paid over to the property owner of the day. Should the Developer carry out the development permitted by this Permit within the time set out above, the security shall be returned to the Developer or his or her designate. There is filed accordingly:

- An Irrevocable Letter of Credit **OR** certified cheque in the amount of **\$151,524.50**

Before any bond or security required under this Permit is reduced or released, the Developer will provide the City with a statutory declaration certifying that all labour, material, workers' compensation and other taxes and costs have been paid.

5. INDEMNIFICATION

Upon commencement of the works authorized by this Permit the Developer covenants and agrees to save harmless and effectually indemnify the Municipality against:

- All actions and proceedings, costs, damages, expenses, claims, and demands whatsoever and by whomsoever brought, by reason of the Municipality said Permit.

All costs, expenses, claims that may be incurred by the Municipality where the construction, engineering or other types of works as called for by the Permit results in damages to any property owned in whole or in part by the Municipality or which the Municipality by duty or custom is obliged, directly or indirectly in any way or to any degree, to construct, repair, or maintain.

**The PERMIT HOLDER is the CURRENT LAND OWNER.
Security shall ONLY be returned to the signatory of the
Landscape Agreement or their designates.**

515 RUTLAND RD MULTI-FAMILY DEVELOPMENT

17 RENTAL CONDO UNITS

SCHEDULE

A

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DP19-0008

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Initials

KB

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CONTEXT PLAN: 515 RUTLAND RD

ARCHITECTURAL

NEW TOWN ARCHITECTURE & ENGINEERING INC.
1464 St. Paul Street Kelowna, B.C., V1Y 2E6
Roman Yanchishikov, Architect AIBC
ph: 250 860 8185, fax: 250 860 0985
roman@newtownservices.net

- A0.01 ZONING & BUILDING CODE REVIEW
- A1.01 SITE PLAN & ZONING ANALYSIS
- A2.01 LEVEL 1 OVERALL PLAN
- A2.02 LEVEL 2 OVERALL PLAN
- A2.03 LEVEL 3 OVERALL PLAN
- A3.00 EXTERIOR ELEVATIONS
- A3.01 EXTERIOR ELEVATIONS
- A4.01 BUILDING SECTIONS
- A5.01 RENDERINGS
- A5.02 EXTERIOR MATERIALS

LANDSCAPE

L1.0 SITE PLAN

Revisions

No	Date	Description
1	NOV 05, 2018	ISSUED FOR DP
2	APR 02, 2019	RE-ISSUED FOR DP
3	APR 20, 2021	RE-ISSUED FOR DP

project title

RUTLAND MULTI-FAMILY DEVELOPMENT

project address

515 RUTLAND ROAD N,
KELOWNA, BC

project no.

4057

file no.

drawing title

COVERPAGE
AND DRWG
LIST

designed

R.Y.

scale

drawn

R.Y./A.

checked

R.Y.

drawing no.

A0.00

plotted MAR 11, 2021

ZONING ANALYSIS

EXISTING ZONING: RU1	PROPOSED ZONING: RM3 - Low Density Multiple Housing
SITE AREA: 900 m2 MIN.	1983 m2 (21344 SF)
UNIT COUNT:	2 x 1BR 15 x 2BR TOTAL: 17

ALLOWED

MAXIMUM FAR:
0.75

MAXIMUM SITE COVERAGE:
40% For Buildings
60% For Buildings & Hard Surfaces (65% for permeable surface)

MAXIMUM HEIGHT:
3 Storeys/ 10 m

SETBACKS:
Front: 1.5 m For Ground-Oriented Units
Side 4.5 m
Rear: 7.0 m

PRIVATE OPEN SPACE:
15 m2 x 5 * 1BR = 75 m2
25 m2 x 12 * 2BR = 300 m2
TOTAL REQUIRED: 375 m2

CAR PARKING:
25.0 REQUIRED
Full-Size:
Medium-Size:
Compact-Size:

BIKE PARKING:
9 CLASS I
2 CLASS II

PROPOSED

0.61

26% (519 m2 (5596 SF))

64%, PERMEABLE PAVERS USED

3 Storeys / 9.6 m

1.5 m

5.2 m, 15.8 m

15.8 m

464 m2

25 PROVIDED

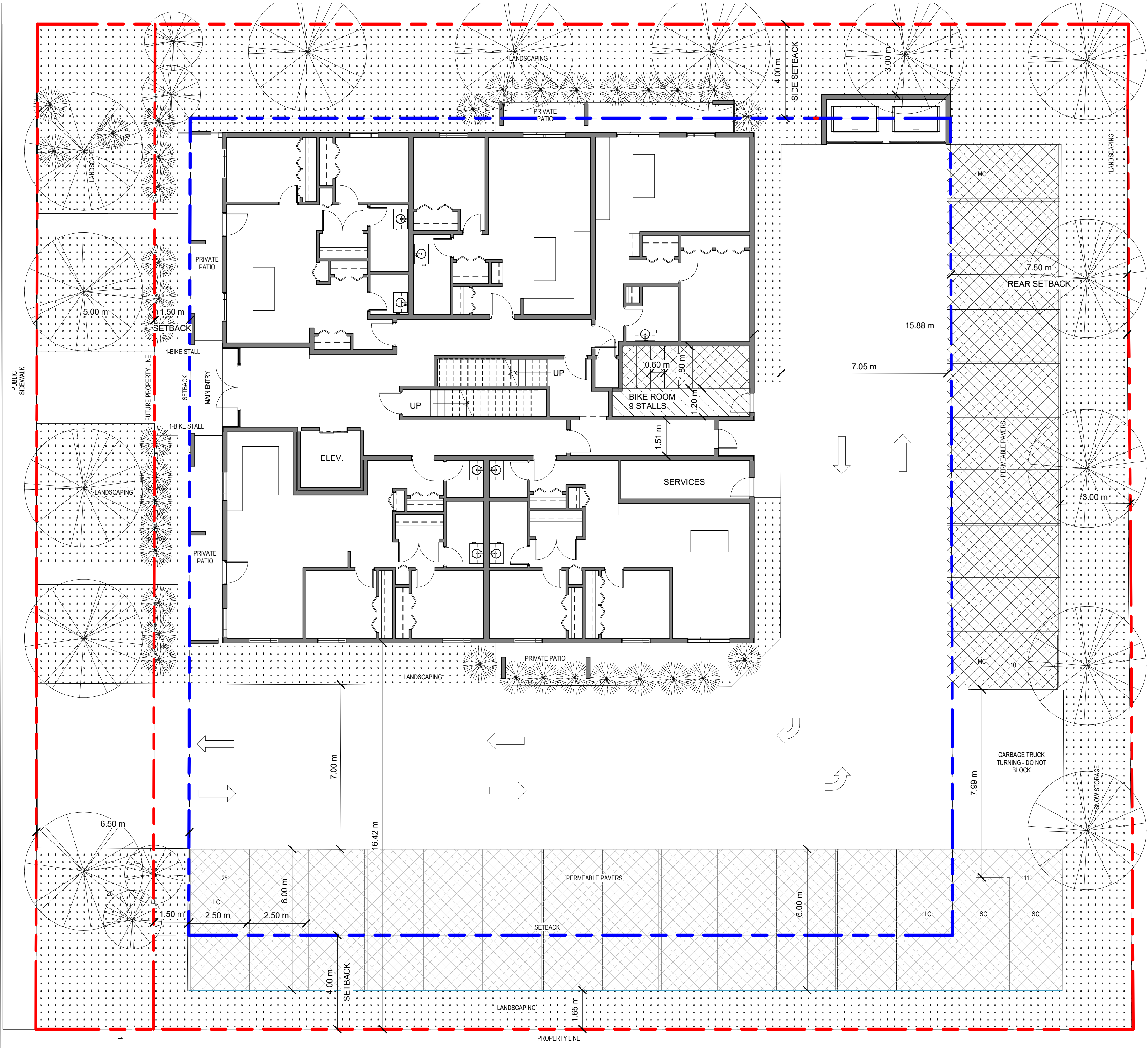
52%

40%

8%

9 CLASS I
2 CLASS II

RUTLAND ROAD N



SCHEDULE

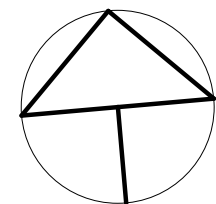
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project title
RUTLAND MULTI-FAMILY DEVELOPMENT

project address
515 RUTLAND ROAD N,
KELOWNA, BC
project no. 4057

drawing title
SITE PLAN &
ZONING
ANALYSIS

designed R.Y. scale As indicated
drawn R.Y./A.
checked R.Y.
drawing no.

A1.01

plotted MAR 11, 2021



1 LEVEL 1
3/16" = 1'-0"

SCHEDULE

B

This forms part of application

DP19-0008

Planner

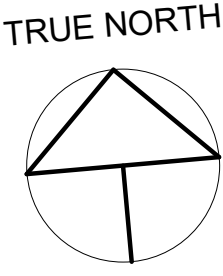
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project address
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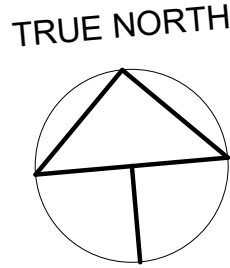
project no. 4057

file no.

drawing title
LEVEL 1
OVERALL PLAN

designed	R.Y.	scale	3/16" = 1'-0"
drawn	R.Y./L.A.		
checked	R.Y.		
drawing no.	A2.01		

plotted MAR 11, 2021



SCHEDULE

B

This forms part of application
DP19-0008

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RUTLAND MULTI-FAMILY
DEVELOPMENT

project address

515 RUTLAND ROAD N,
KELOWNA, BC

project no.

4057

file no.

drawing title

LEVEL 2
OVERALL PLAN

designed

R.Y.

scale

3/16" = 1'-0"

drawn

R.Y./L.A.

checked

R.Y.

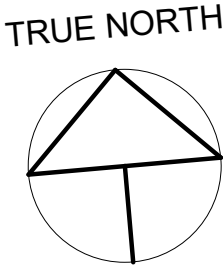
drawing no.

A2.02

plotted

MAR 11, 2021

1 LEVEL 2
3/16" = 1'-0"



SCHEDULE

B

This forms part of application
DP19-0008

Planner
Initials KB



1 LEVEL 3
3/16" = 1'-0"

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project title
RUTLAND MULTI-FAMILY
DEVELOPMENT

project address
515 RUTLAND ROAD N,
KELOWNA, BC
project no. 4057

file no.

drawing title
LEVEL 3
OVERALL PLAN

designed R.Y. scale 3/16" = 1'-0"

drawn R.Y. L. A.

checked R.Y.

drawing no.

A2.03

plotted MAR 11, 2021

SCHEDULE

B

This forms part of application
DP19-0008

Planner
Initials

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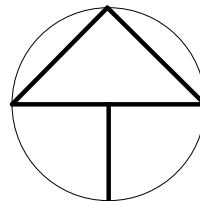
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SEAL



Revisions

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project title

RUTLAND MULTI-FAMILY
DEVELOPMENT

project address

515 RUTLAND ROAD N,
KELOWNA, BC

project no.

4057

file no.

drawing title

ROOF PLAN

designed

R.Y.

scale

3/16" = 1'-0"

drawn

R.Y./L.A.

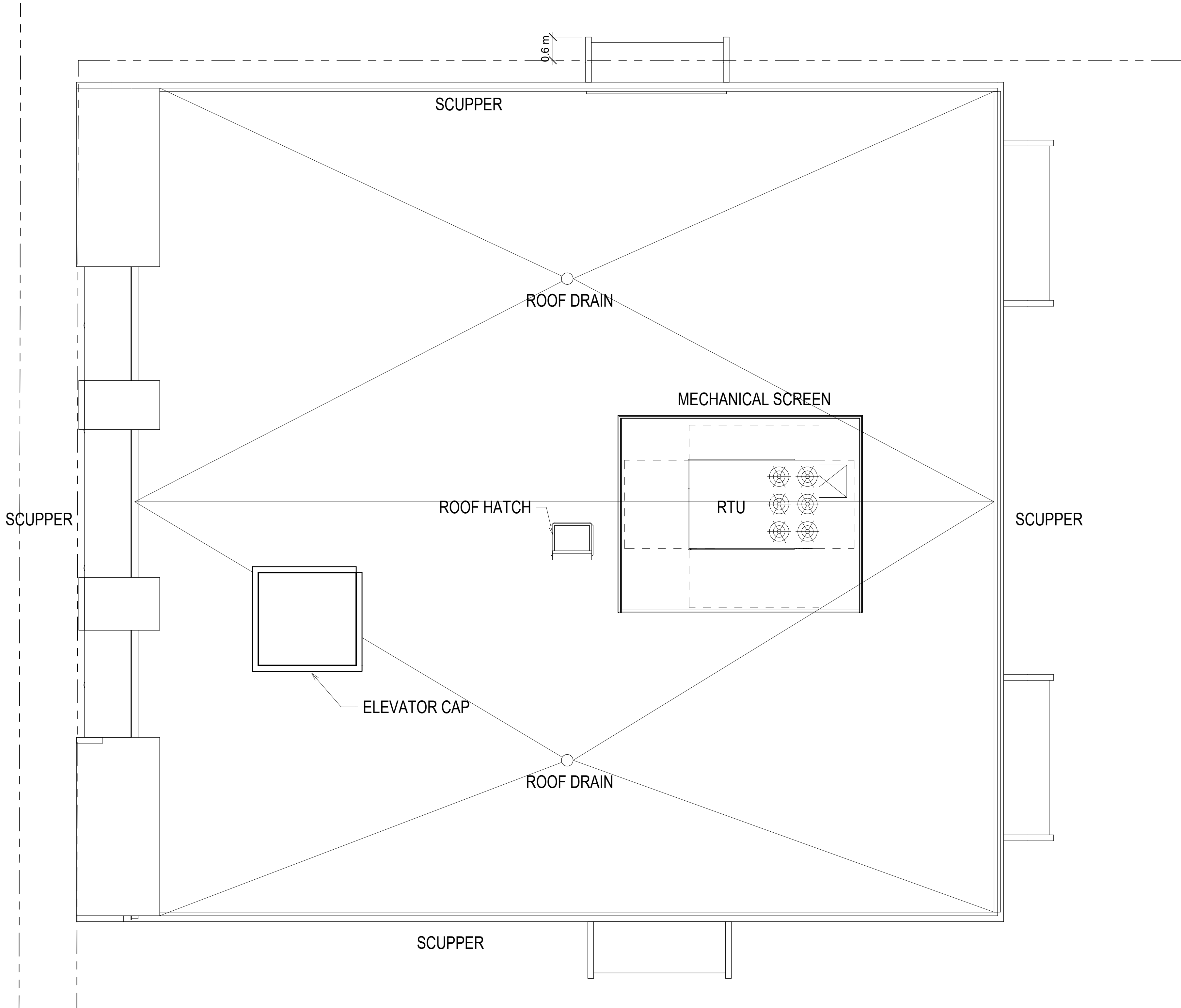
checked

R.Y.

drawing no.

A2.04

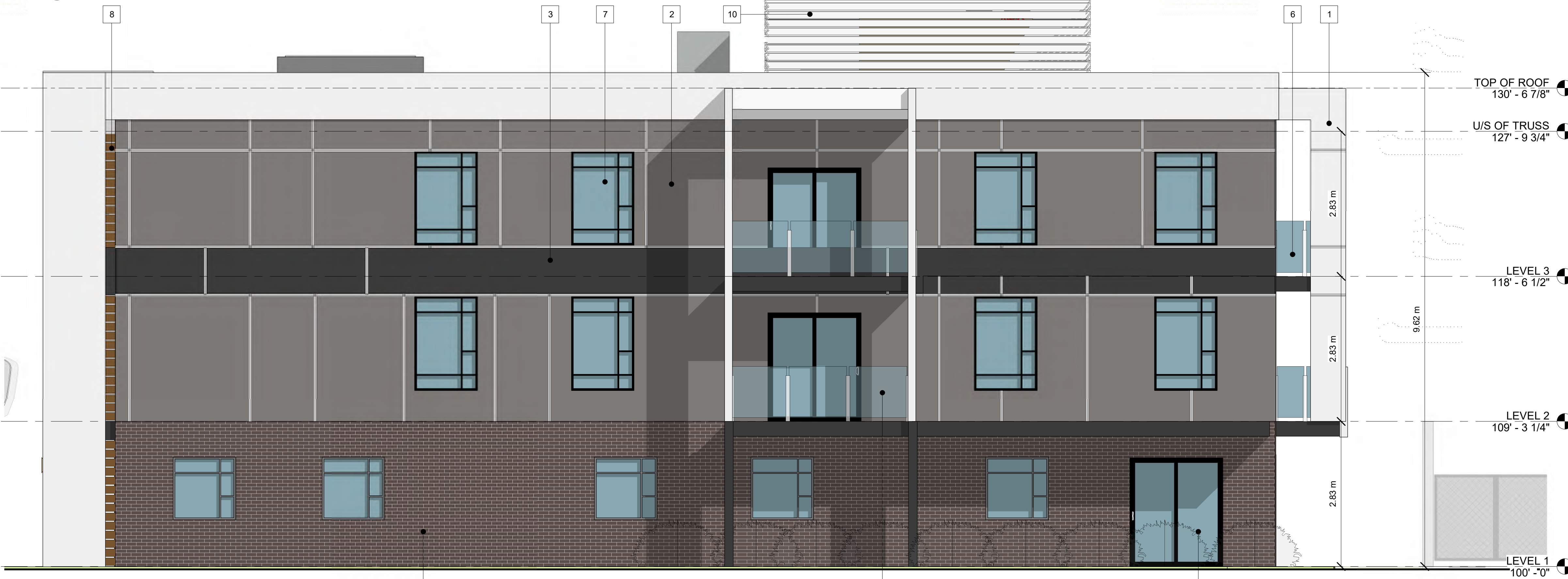
plotted MAR 11, 2021



1 ROOF PLAN
3/16" = 1'-0"



2 FRONT (WEST ELEVATION)
1/4" = 1'-0"



1 SIDE (SOUTH ELEVATION)
A2.03 1/4" = 1'-0"

SCHEDULE

B

This forms part of application

DP19-0008

Planner

Initials

KB

City of Kelowna

DEVELOPMENT PLANNING

ALL CONTRACTORS ARE REQUIRED TO PERFORM THEIR WORK AND SUPPLY THEIR PRODUCTS IN COMPLIANCE WITH ALL BUILDING CODES AND LAWS OF THE PROVINCE OF BRITISH COLUMBIA

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This drawing must not be scaled

Verify all dimensions and datums prior to commencement of work.

Report all errors and omissions to the Architect.



NEW TOWN

ARCHITECTURE

URBAN PLANNING

CIVIL ENGINEERING

www.newtownservices.ca

EXTERIOR MATERIAL LEGEND	
1.	FIBER CEMENT PANELS - WHITE
2.	FIBER CEMENT PANELS - GREY
3.	FIBER CEMENT PANELS - DARK BROWN
4.	CORRUGATED METAL PANELS - GREY
5.	BRICK VENEER
6.	GLASS GUARDS W / TOP CAP
7.	ALUMINUM STOREFRONT / VINYL FRAMED WINDOWS / DOORS - BLACK
8.	WOOD SLAT SCREEN
9.	IMITATED WOOD FASCIA
10.	ROOF-TOP HVAC UNIT & SCREEN

SEAL

Revisions		
No	Date	Description
1	NOV 05, 2018	ISSUED FOR DP
2	APR 02, 2019	RE-ISSUED FOR DP
3	APR 20, 2021	RE-ISSUED FOR DP

project title
RUTLAND MULTI-FAMILY DEVELOPMENT

project address
515 RUTLAND ROAD N,
KELOWNA, BC

project no. 4057

drawing title
EXTERIOR ELEVATIONS

designed	R.Y.	scale	1/4" = 1'-0"
drawn	R.Y./A.		
checked	R.Y.		
drawing no.	A3.00		

plotted MAR 11, 2021

100



SCHEDULE

B

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DP19-0008

Planner

Initials

KB

City of Kelowna

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NEW TOWN
ARCHITECTURE
URBAN PLANNING
CIVIL ENGINEERING
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EXTERIOR MATERIAL LEGEND	
1.	FIBER CEMENT PANELS - WHITE
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8.	WOOD SLAT SCREEN
9.	IMITATED WOOD FASCIA
10.	ROOF-TOP HVAC UNIT & SCREEN

SEAL



Revisions

No	Date	Description
1	NOV 05, 2018	ISSUED FOR DP
2	APR 02, 2019	RE-ISSUED FOR DP
3	APR 20, 2021	RE-ISSUED FOR DP

project title
RUTLAND MULTI-FAMILY DEVELOPMENT

project address
**515 RUTLAND ROAD N,
KELOWNA, BC**

project no. 4057

file no.

drawing title
EXTERIOR ELEVATIONS

designed R.Y. scale 1/4" = 1'-0"

drawn R.Y./A.

checked R.Y.

drawing no.

A3.01

plotted MAR 11, 2021



2 SIDE (NORTH ELEVATION)
A7.01 1/4" = 1'-0"

SCHEDULE

B

This forms part of application

DP19-0008

Planner Initials

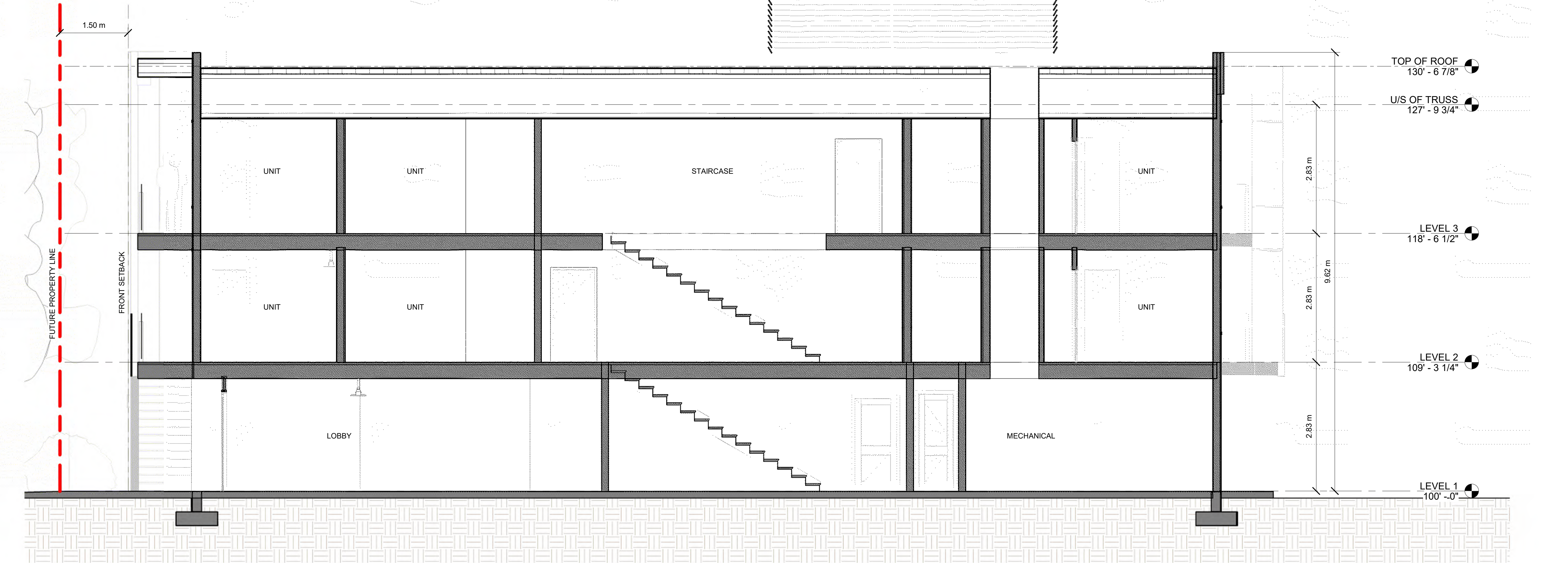
KB

City of Kelowna

DEVELOPMENT PLANNING



1 SECTION 1
1/4" = 1'-0"



2 SECTION 2
1/4" = 1'-0"

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URBAN PLANNING

CIVIL ENGINEERING

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SEAL



Revisions		
No	Date	Description
1	NOV 05, 2018	ISSUED FOR DP
2	APR 02, 2019	RE-ISSUED FOR DP

project title
RUTLAND MULTI-FAMILY DEVELOPMENT

project address
515 RUTLAND ROAD N,
KELOWNA, BC

project no. 4057

file no.

drawing title
BUILDING SECTIONS

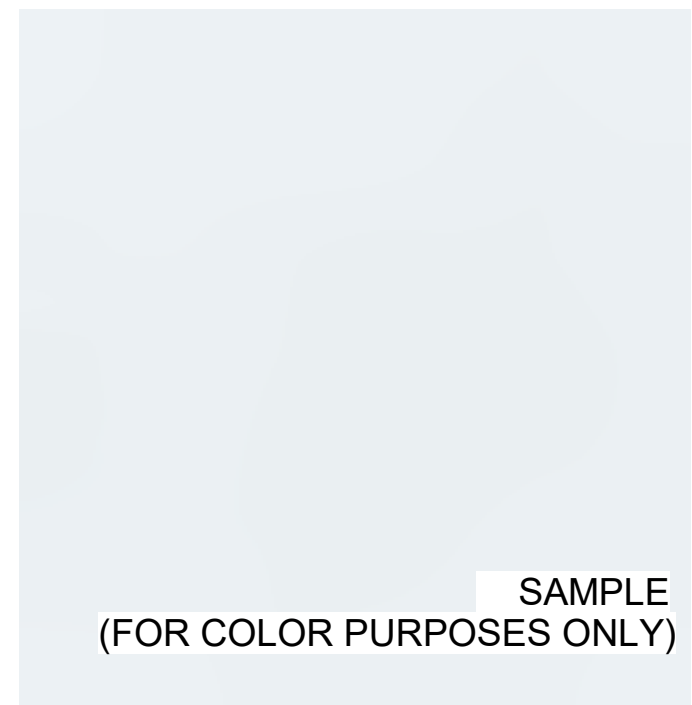
designed	R.Y.	scale	1/4" = 1'-0"
drawn	R.Y./L.A.		
checked	R.Y.		

drawing no.

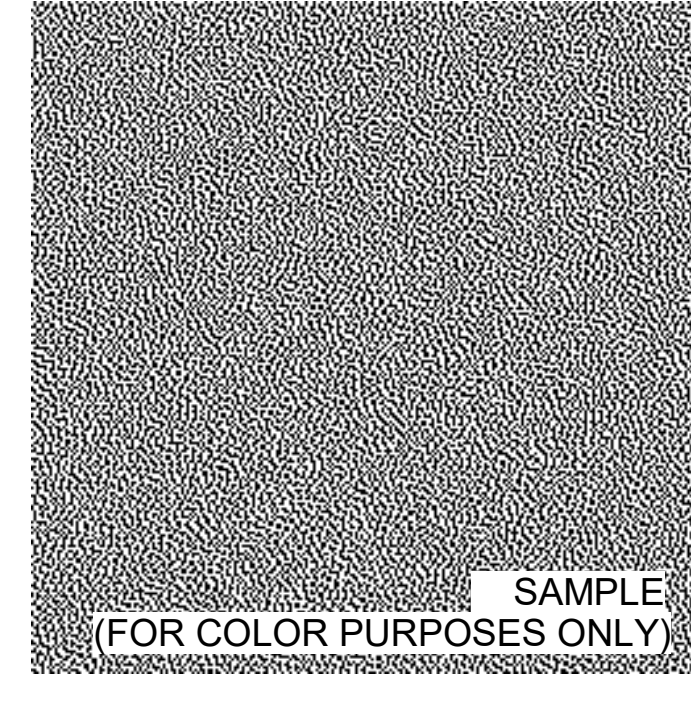
A4.01

plotted MAR 11, 2021

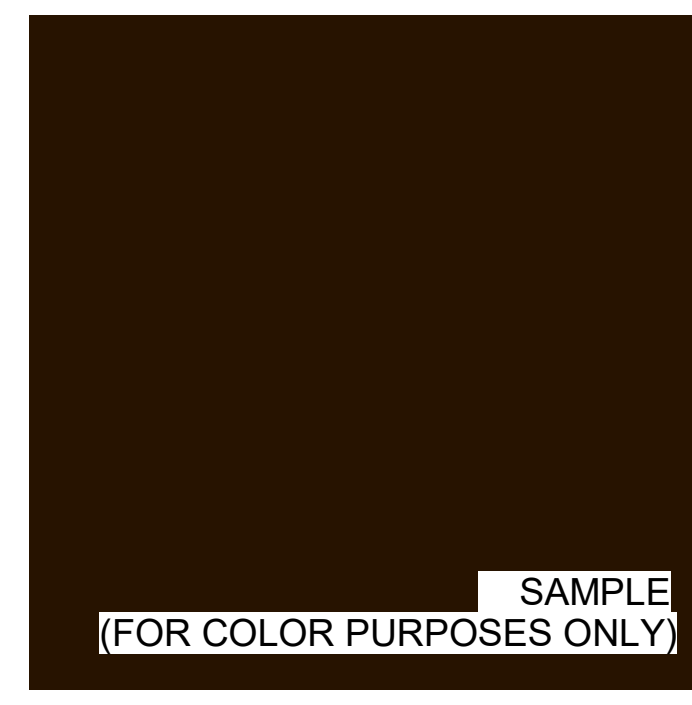
CEMENTITIOUS PANEL - WHITE (#1)



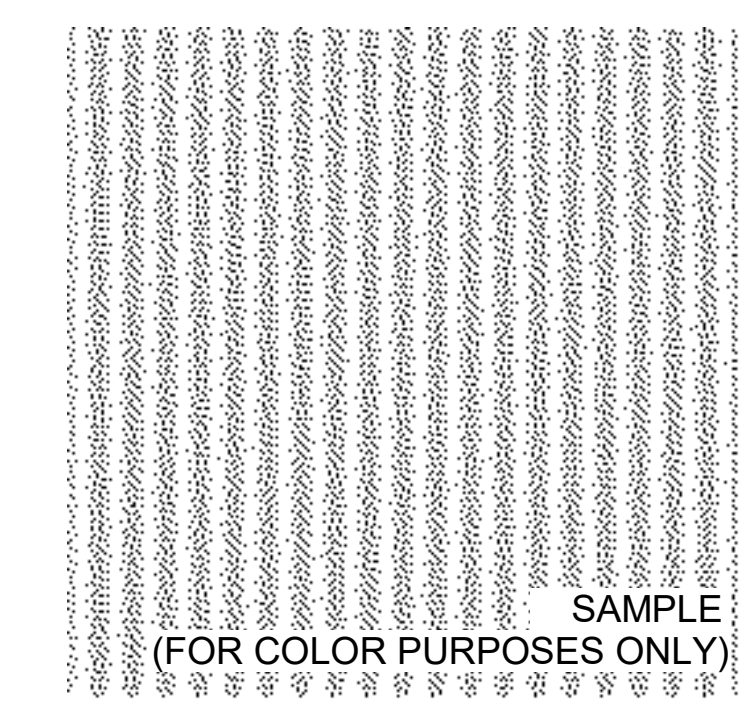
CEMENTITIOUS PANEL - GREY (#2)



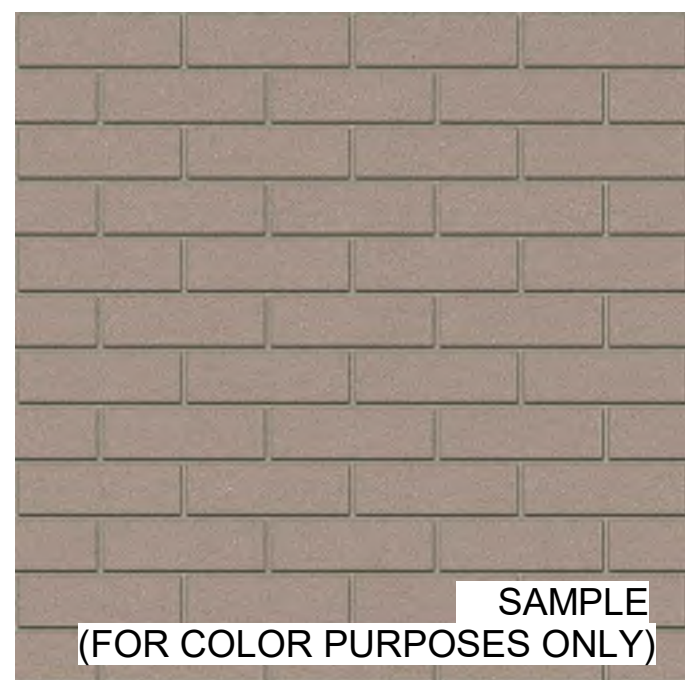
CEMENTITIOUS PANEL - COFFEE (#3)



CORRUGATED METAL - SILVER (#4)



THIN BRICK VENEER PANEL - (#5)



GLASS GUARDS W / TOP CAP - (#6)



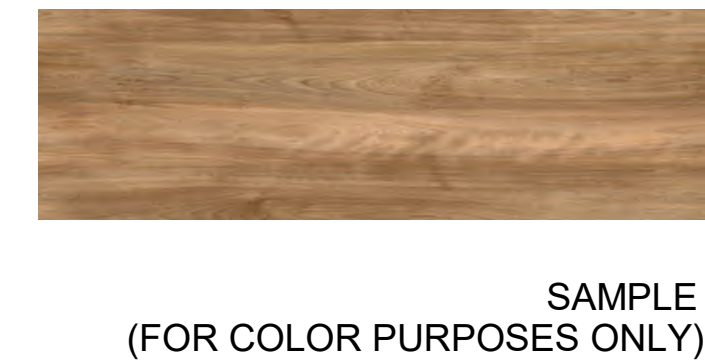
STOREFRONT GLAZING (#7)



WOOD SLATS (#8)



IMITATED WOOD FASCIA (#9)



SCHEDULE

B

This forms part of application

DP19-0008

Planner Initials

KB

City of Kelowna

DEVELOPMENT PLANNING

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SEAL



Revisions		
No	Date	Description
1	APR 20, 2021	RE-ISSUED FOR DP

project title
RUTLAND MULTI-FAMILY DEVELOPMENT

project address
515 RUTLAND ROAD N,
KELOWNA, BC

project no. 4057

file no.

drawing title
EXTERIOR MATERIALS

designed R.Y. scale

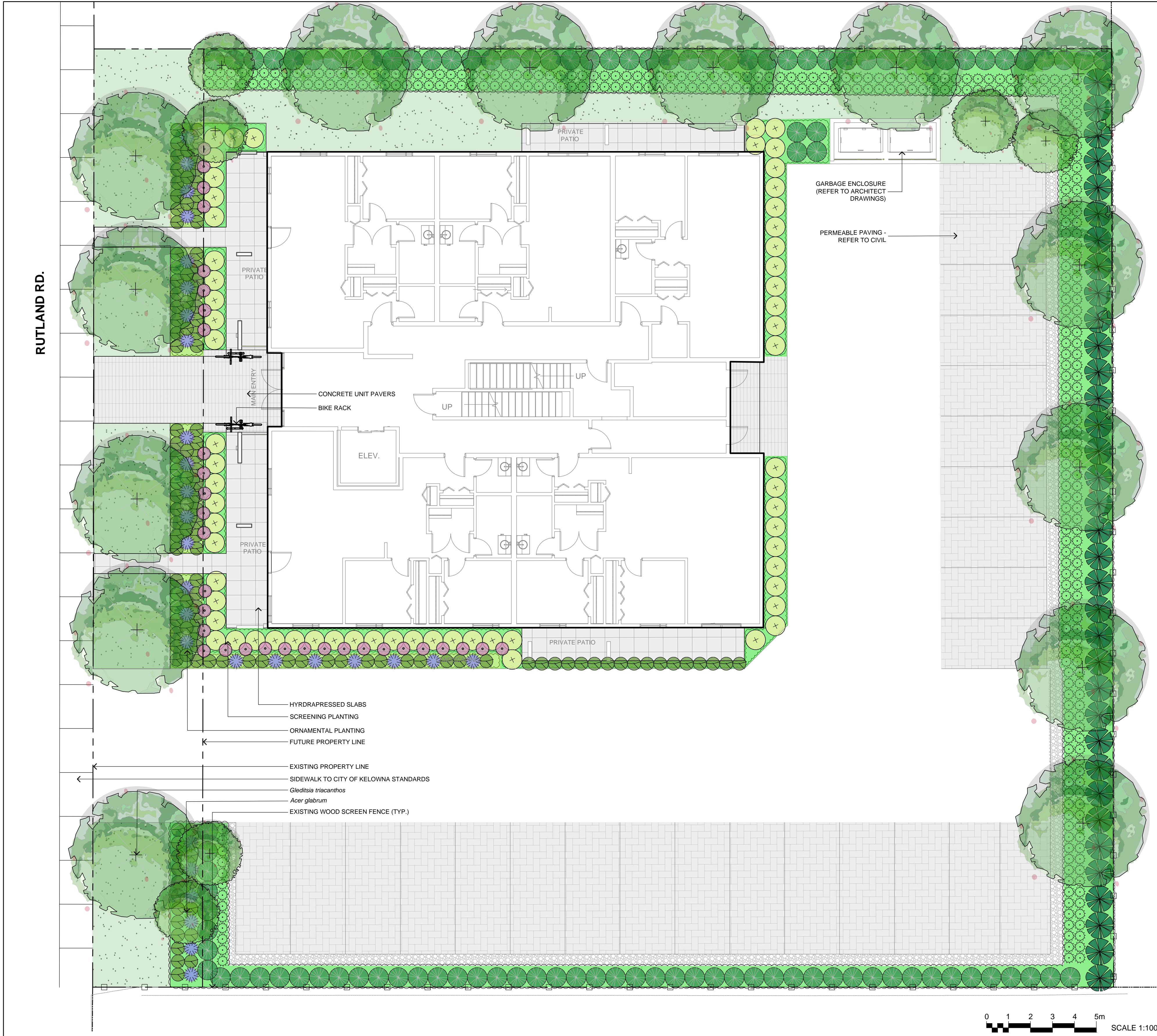
drawn R.Y./L.A.

checked R.Y.

drawing no. A5.02

plotted MAR 11, 2021

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LEGEND:

- PROPERTY LINE
- CONCRETE PAVING
- PERMEABLE PAVERS AS SPECIFIED BY CIVIL ENGINEER
- HYDRAPRESSED SLABS

PLANTING LEGEND:

- GRASS, SHRUB AND PERENNIAL PLANTING
- PROPOSED DECIDUOUS TREE
- SOD
- ROCK MULCH

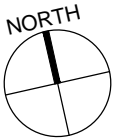
NOTES:

- PLANT MATERIALS AND CONSTRUCTION METHODS SHALL CONFORM TO MINIMUM STANDARDS ESTABLISHED IN THE CANADIAN LANDSCAPE STANDARDS (CURRENT EDITION).
- THE LANDSCAPE DESIGN DESIGNATED HEREIN IS CONCEPTUAL BUT REFLECTS THE MINIMUM ACCEPTABLE QUALITY AND SIZE.
- PLANT MATERIAL SELECTIONS ARE CONCEPTUAL ONLY. FINAL PLANTING SELECTIONS MAY VARY DEPENDING UPON AVAILABILITY.
- ALL PLANTING BEDS SHALL HAVE APPROVED MULCH.
- ALL LANDSCAPE AREAS TO BE IRRIGATED WITH AN EFFICIENT AUTOMATIC IRRIGATION SYSTEM.
- THIS DRAWING DEPICTS FORM AND CHARACTER AND IS TO BE USED FOR DEVELOPMENT PERMIT SUBMISSION ONLY. IT IS NOT INTENDED FOR USE AS A CONSTRUCTION DOCUMENT.

REPRESENTATIVE PLANT LIST

QTY	BOTANICAL NAME	COMMON NAME	SIZE	ROOT	MATURE PLANT SIZE (H X W)	NOTES
TREES						
14	<i>Gleditsia triacanthos</i>	HONEYLOCUST	60mm Cal.	B&B	24.0m x 18.0m	1800mm CLEAR STEM HEIGHT
6	<i>Acer glabrum</i>	ROCKY MOUNTAIN MAPLE	60mm Cal.	B&B	6.00m x 4.50m	
SHRUBS						
62	<i>Buxus sempervirens</i>	COMMON BOXWOOD	#02	POTTED	1.50m x 0.90m	1000mm O.C.
102	<i>Cornus stolonifera 'Farrow'</i>	ARCTIC FIRE DOGWOOD	#02	POTTED	1.50m x 0.90m	
35	<i>Cornus stolonifera 'Neil Z'</i>	RED TWIG DOGWOOD	#02	POTTED	1.50m x 1.20m	
331	<i>Mahonia repens</i>	CREEPING OREGON GRAPE	#02	POTTED	0.30m x 0.50m	
PERENNIALS GRASSES						
29	<i>Echinacea</i>	CONEFLOWER	#01	POTTED	0.75m x 0.60m	
129	<i>Miscanthus sinensis 'Hamel'</i>	HAMELN DWARF FOUNTAIN GRASS	#01	POTTED	0.60m x 0.60m	
32	<i>Rudbeckia</i>	BLACK-EYED SUSANS	#01	POTTED	0.60m x 0.60m	

1 LANDSCAPE PLAN
LDP1 SCALE: 1:100



0 1 2 3 4 5m SCALE 1:100

SCHEDULE C

This forms part of application
DP19-0008

Planner Initials KB

City of Kelowna
DEVELOPMENT PLANNING

REVISIONS / ISSUED		
3	FEB 26/21	RE - ISSUED FOR DP
2	APR 05/19	RE - ISSUED FOR DP
1	DEC 04/18	ISSUED FOR DP
NO.	DATE	DESCRIPTION

PROJECT
RUTLAND MULTI-FAMILY DEVELOPMENT

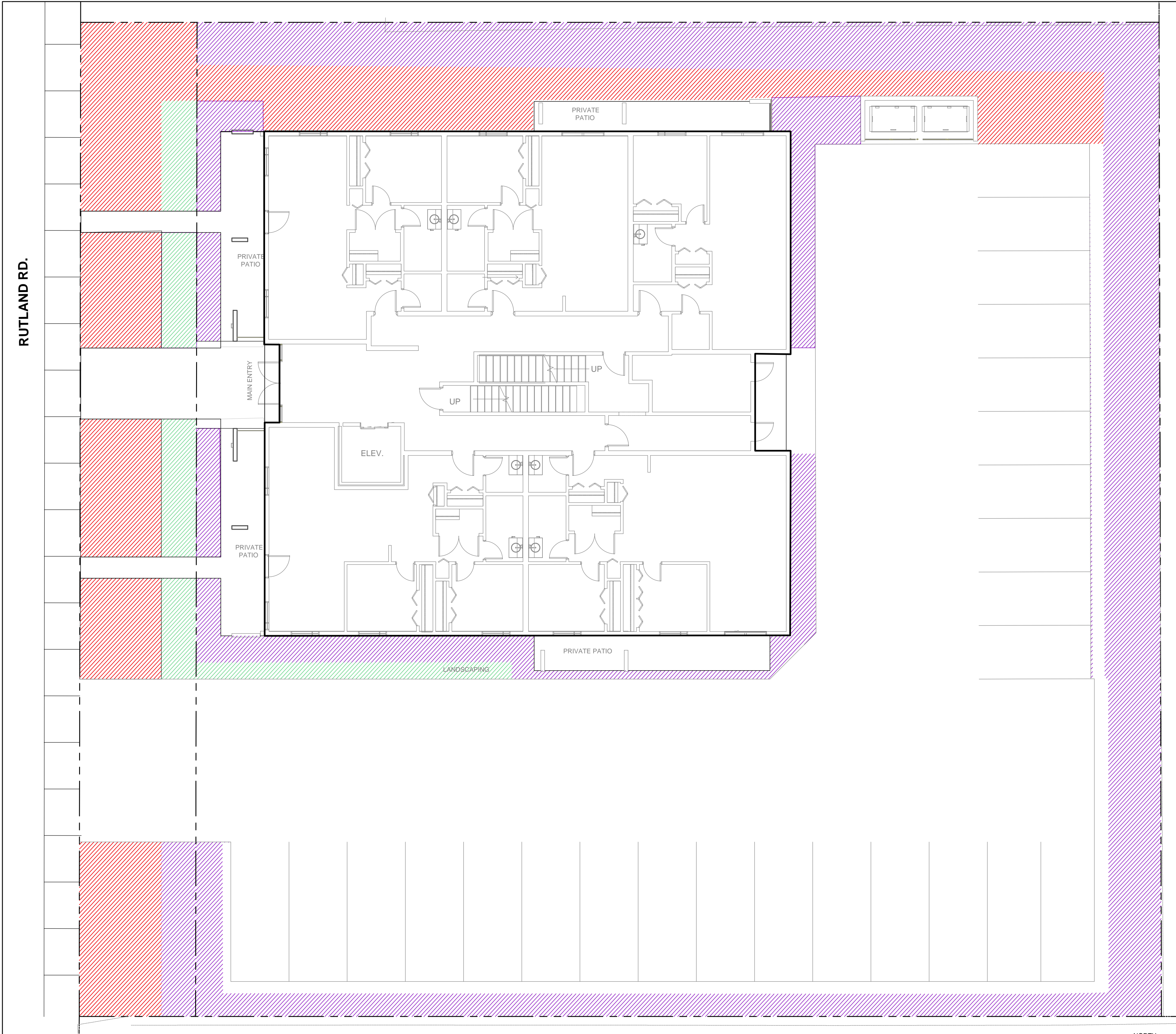
CLIENT

CONSULTANT
NEW TOWN SERVICES

PLANNING | LANDSCAPE ARCHITECTURE | URBAN DESIGN
Suite 700, 1631 Dickson Avenue, Kelowna, BC V1Y 0B5 t:250.869.1334 wsp.com

DESIGN BY	TC	SHEET TITLE
DRAWN BY	LN	LANDSCAPE PLAN
CHECKED BY	RF	
PROJECT #	18M-01923	SHEET NO.
SCALE	1:100	LDP-1

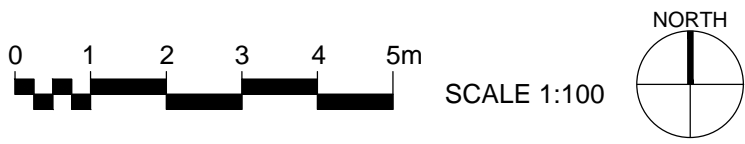
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HYDROZONE LEGEND:

- LOW WATER USAGE:**
NATIVE PLANTING / WOOD MULCH
- MODERATE WATER USAGE:**
ORNAMENTAL PLANTING / WOOD MULCH
- HIGH WATER USAGE:**
SOD AREA

1 HYDROZONE PLAN
LDP2 SCALE: 1:100



SCHEDULE C

This forms part of application
DP19-0008

Planner Initials **KB**


City of Kelowna
DEVELOPMENT PLANNING

REVISIONS / ISSUED		
3	FEB 26/21	RE - ISSUED FOR DP
2	APR 05/19	RE - ISSUED FOR DP
1	DEC 04/18	ISSUED FOR DP
NO.	DATE	DESCRIPTION

PROJECT
RUTLAND MULTI-FAMILY DEVELOPMENT

CLIENT

CONSULTANT
NEW TOWN SERVICES


PLANNING | LANDSCAPE ARCHITECTURE | URBAN DESIGN
Suite 700, 1631 Dickson Avenue, Kelowna, BC V1Y 0B5 | 250.869.1334 | wsp.com

DESIGN BY	TC	SHEET TITLE
DRAWN BY	LN	HYDROZONE PLAN
CHECKED BY	RF	
PROJECT #	18M-01923	SHEET NO.
SCALE	1:100	LDP-2

1 OF 2



SF-Rima™

SCHEDULE	C
This forms part of application # DP19-0008	
Planner Initials	KB
 City of Kelowna DEVELOPMENT PLANNING	

Reduce or eliminate storm water runoff, mitigate the risk of flooding and relieve sewer systems. SF-Rima's innovative design filters and drains storm water back to the native soil and helps with the constant irrigation and cooling of surfaces.

Features & Benefits:

- Use in permeable and non-permeable applications
- Ideal for both residential and commercial applications
- Integrate with a complete storm water management system

Colours:



Grey

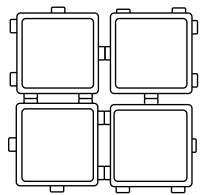


Charcoal

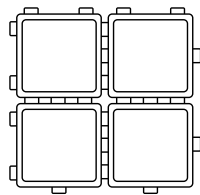
Colour availability and colour finish may vary by region. Every attempt has been made to provide accurate data - please note product measurements, weights and coverage are approximate.

Technical Information

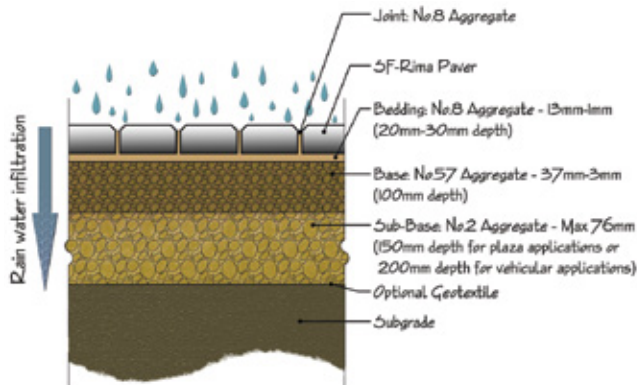
SF-RIMA					
PRODUCT	DIMENSIONS	UNITS/ PALLET	SQFT/ PALLET	BLOCK COVERAGE	PALLET WEIGHT
SFO-RIMA - Turf Layout	254 x 254 x 80 mm 10 x 10 x 3.1"	160	111	1.4 / SqFt	1570 kg 3461 lbs
SFO-RIMA - Water Layout	240 x 240 x 80 mm 9.4 x 9.4 x 3.1"	160	99	1.6 / SqFt	1570 kg 3461 lbs



Turf Growth Layout



Water Drainage Layout



SF-Rima™

Applications:



PERMEABLE



PLAZA



ROADWAY

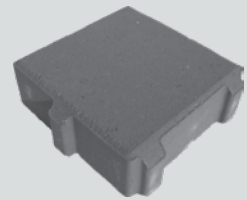


PARKING
LOT



DRIVEWAY

Shapes & Sizes:



SF-RIMA

254 x 254 x 80 mm
10 x 10 x 3.1"

SCHEDULE C

This forms part of application
DP19-0008

Planner Initials KB

City of Kelowna
DEVELOPMENT PLANNING



SF-Rima
Grey



Expocrete an Oldcastle® company

British Columbia Alberta Saskatchewan Manitoba

For more info visit: Belgard.com | Expocrete.com

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DP19-0008

515 Rutland Road North

Development Permit Application



Proposal

- ▶ To consider the form and character of a multiple dwelling housing development

Development Process

January 9, 2019

Development Application Submitted



Staff Review & Circulation



April 12, 2019

Public Notification Received



July 15, 2019

Initial Consideration



July 30, 2019

Public Hearing
Second & Third Readings



May 10, 2021

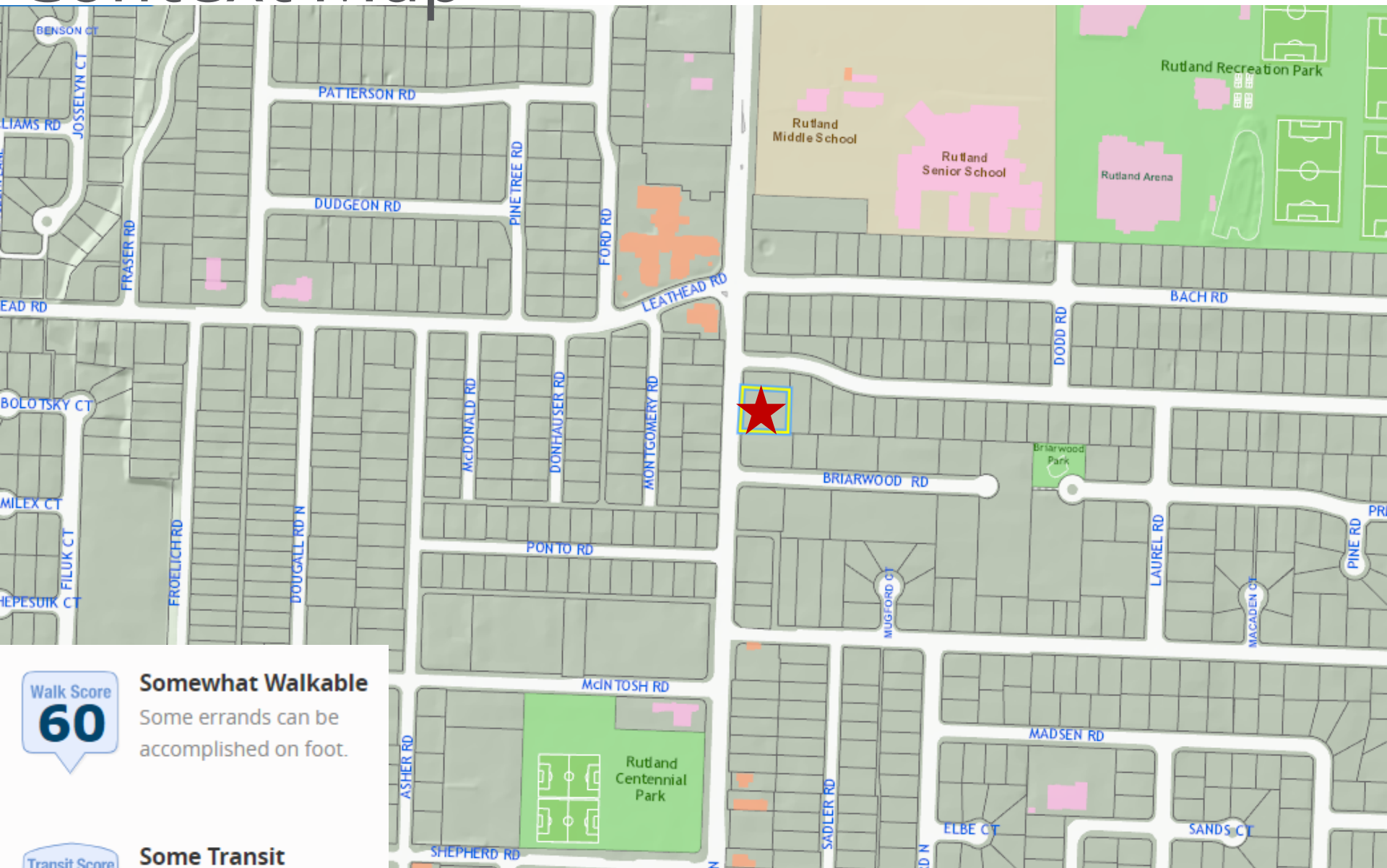
Final Reading
Development Permit



Building Permit

Council
Approvals

Context Map



City of Kelowna

Subject Property Map



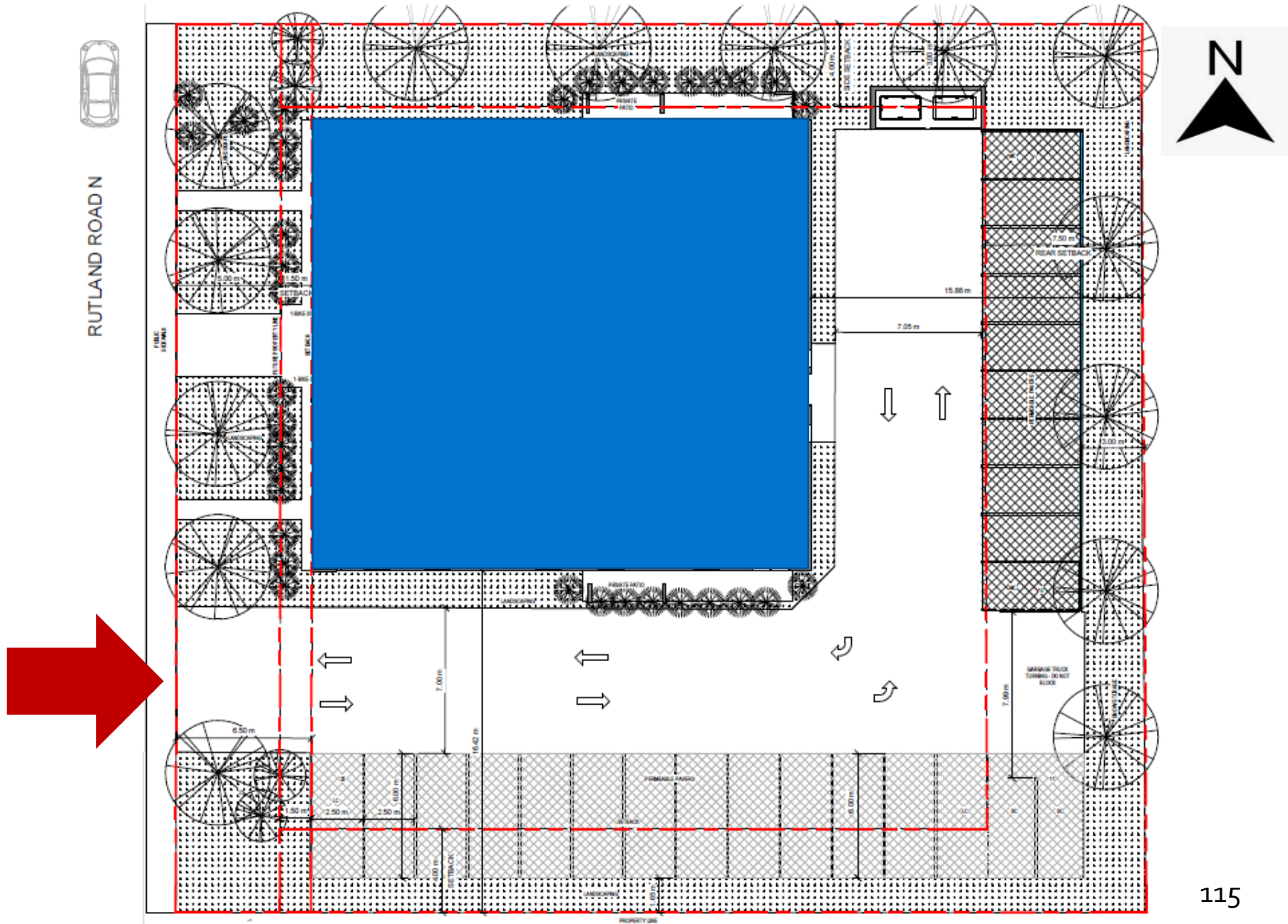
Google Street View from Rutland Rd N



Technical Details

- ▶ Multiple dwelling housing development
 - ▶ One three-storey building
 - ▶ 17 dwelling units
 - ▶ 2 one-bedroom units
 - ▶ 15 two-bedroom units
 - ▶ Surface parking
 - ▶ 25 stalls, meets bylaw requirements
 - ▶ Private open space on balconies and level landscaped areas
 - ▶ No variances requested

Site Plan



Renderings



Rutland Rd N Facing Elevation (West)

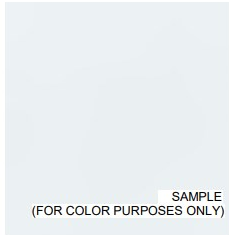


North & South Elevations

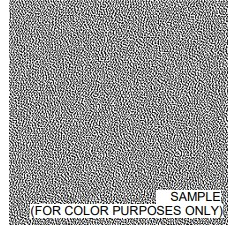


Finish Schedule

CEMENTITIOUS PANEL - WHITE (#1)



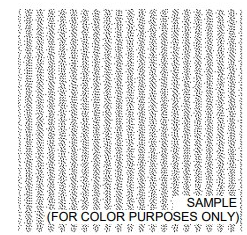
CEMENTITIOUS PANEL - GREY (#2)



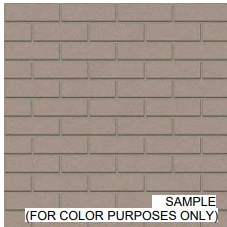
CEMENTITIOUS PANEL - COFFEE (#3)



CORRUGATED METAL - SILVER (#4)



THIN BRICK VENEER PANEL - (#5)



GLASS GUARDS W / TOP CAP - (#6)



STOREFRONT GLAZING (#7)



WOOD SLATS (#8)



IMITATED WOOD FASCIA (#9)



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Development Policy

- ▶ Meets the Intent of OCP Design Guidelines
 - ▶ Variety of materials to create interest
 - ▶ Façade articulations
 - ▶ Prominent entrances
- ▶ Proposal is consistent with the Future Land Use designation (MRL) and meets Zoning Bylaw regulations

Staff Recommendation

- ▶ Staff recommend **support** for the DP application
 - ▶ Consistent with OCP Design Guidelines
 - ▶ Urban Infill Policies
 - ▶ Consistent with Future Land Use Designation
 - ▶ Appropriate location for adding residential density
 - ▶ Proximity to shopping areas, parks & cycling corridors, transit and schools.



Conclusion of Staff Remarks

CITY OF KELOWNA

BYLAW NO. 12185

Official Community Plan Amendment No. TA21-0004 Amendment to Chapter 14 – Urban Design DP Guidelines

A bylaw to amend the "Kelowna 2030 – Official Community Plan Bylaw No. 10500".

The Municipal Council of the City of Kelowna, in open meeting assembled, enacts as follows:

1. THAT **Chapter 14 – Urban Design DP Guidelines, E. INFILL NEIGHBOURHOOD DESIGN GUIDELINES, EXEMPTIONS** be amended by deleting the following:

- “• A technical subdivision for lot consolidation or road widening; or
- Construction of a pre-approved Infill Design as endorsed by Council through the Infill Challenge process.”

And replacing it with:

- “• A technical subdivision for lot consolidation or road widening.”

2. AND THAT **Chapter 14 – Urban Design DP Guidelines, E. INFILL NEIGHBOURHOOD DESIGN GUIDELINES, GUIDELINES, 1.0 Neighbourhood Context** be amended by deleting the following:

- “1.2 Design buildings to limit the real or perceived height difference between adjacent properties;
- 1.3 Locate developments to minimize the amount of shadow cast onto the private open space of adjacent properties;
- 1.4 Respect the privacy of adjacent properties through appropriate placement of windows, location of decks, and any other feature that may infringe upon the privacy of a neighbouring residence;
- 1.5 Locate parking and garages within the rear yard with direct access from the lane.
- 1.6 Enhance interior daylighting without creating overlook into adjacent properties, with elements such as skylights, clerestory windows or obscured glazing.
- 1.7 Design developments with multiple buildings such that there is a sense of architectural unity or cohesiveness.”

And replacing it with:

- "1.2 The repetition of a building design should be avoided on the same block and especially on neighbouring properties. Also, fast track infill designs must not be repeated on any neighbouring property, nor appear on any corner lot.
- 1.3 Design buildings to limit the real or perceived height difference between adjacent properties;
- 1.4 Locate developments to minimize the amount of shadow cast onto the private open space of adjacent properties;
- 1.5 Respect the privacy of adjacent properties through appropriate placement of windows, location of decks, and any other feature that may infringe upon the privacy of a neighbouring residence;
- 1.6 Locate parking and garages within the rear yard with direct access from the lane.
- 1.7 Enhance interior daylighting without creating overlook into adjacent properties, with elements such as skylights, clerestory windows or obscured glazing.
- 1.8 Design developments with multiple buildings such that there is a sense of architectural unity or cohesiveness."
3. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this

Considered at a Public Hearing on the

Read a second and third time by the Municipal Council this

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

CITY OF KELOWNA

BYLAW NO. 12186

TA21-0003 – Amendment to Section 13 - Urban Residential Zones RU7 – Infill Housing

The Municipal Council of the City of Kelowna, in open meeting assembled, enacts that the City of Kelowna Zoning Bylaw No. 8000 be amended as follows:

1. THAT **Section 13 – Urban Residential Zones, Section 13.17 RU7 – Infill Housing, 13.17.3 Secondary Uses** be amended by deleting the following:

- “(b) **group homes, minor**
- “(c) **home based businesses, minor**
- “(d) **secondary suite**
- “(e) **short term rental accommodation** subject to Section 9.17 of this bylaw”

And replacing it with:

- “(b) **group homes, minor** (only in circumstances described in Section 13.17.8(a))
- “(c) **home based businesses, minor**
- “(d) **home based businesses, major** (only in circumstances described in Section 13.17.8(b))
- “(e) **secondary suite** (only in circumstances described in Section 13.17.8(c))
- “(f) **short term rental accommodation** subject to Section 9.17 of this bylaw”

2. AND THAT **Section 13 – Urban Residential Zones, Section 13.17 RU7 – Infill Housing, 13.17.4 Buildings and Structures Permitted** be amended by deleting the following:

- “(a) **single detached house** which may contain a **secondary suite** if the secondary suite was legally in existence prior to *(date subject Bylaw is adopted)*. ”

And replacing it with:

- “(a) **single detached house**”

3. AND THAT **Section 13 – Urban Residential Zones, Section 13.17 RU7 – Infill Housing, 13.17.6 Development Regulations** be amended by deleting the following:

- “(a) The maximum site coverage is 55% .”

And replacing it with:

- “(a) The maximum site coverage is 55% provided that the maximum site coverage of buildings, driveways, and parking areas is 60%. This may be increased by 5% (to a maximum of 65%) for permeable drive surfaces and parking.”

4. AND THAT **Section 13 – Urban Residential Zones, Section 13.17 RU7 – Infill Housing, 13.17.8 Other Regulations** be amended by deleting the following:

- “(a) Minor group homes are only permitted in **single dwelling housing**.

- (b) Where a **site** has access to a **lane**, vehicular access is only permitted from the **lane**. Otherwise, vehicular access may be taken from the **front yard**, or where a property has two **street frontages**, access shall be taken from the **street frontage** which is not the **front yard**.
- (c) In addition to the regulations listed above, other regulations may apply. These include the general development regulations of Section 6 (accessory development, yards, projections into yards, lighting, stream protection, etc.), the landscaping and fencing provisions of Section 7, the parking and loading regulations of Section 8, and the specific use regulations of Section 9."

And replacing it with:

- "(a) Minor group homes are only permitted in **single dwelling housing**.
 - (b) **Home based businesses, major** are only permitted where two or fewer dwellings exist on the parcel.
 - (c) A **secondary suite** is only permitted in a single-detached house, where a maximum of one **secondary suite** is permitted per parcel.
 - (d) Where a **site** has access to a **lane**, vehicular access is only permitted from the **lane**. Otherwise, vehicular access may be taken from the **front yard**, or where a property has two **street frontages**, access shall be taken from the **street frontage** which is not the **front yard**.
 - (e) A minimum 1.1m wide lit pathway must be provided between the front lot line and the entrance of each dwelling unit.
 - (f) In addition to the regulations listed above, other regulations may apply. These include the general development regulations of Section 6 (accessory development, yards, projections into yards, lighting, stream protection, etc.), the landscaping and fencing provisions of Section 7, the parking and loading regulations of Section 8, and the specific use regulations of Section 9."
5. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this 22nd day of March, 2021.

Considered at a Public Hearing on the 6th day of April, 2021.

Read a second and third time by the Municipal Council this 6th day of April, 2021.

Approved under the Transportation Act this 14th day of April, 2021.

Sean Potter
(Approving Officer-Ministry of Transportation)

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

Report to Council



Date: May 10, 2021
To: Council
From: Audit Committee
Subject: 2020 Audit Committee Meeting Review
Department: Financial Services

Recommendation:

THAT Council receive, for information, the report of the Audit Committee, dated May 10, 2021 with respect to the 2020 Audit Committee Meeting Review

Purpose:

To provide a high-level review of the information provided to the Audit Committee during the meeting on April 29, 2021.

Background:

Annually the Audit Committee meets to review the Financial Statements, Financial Health Indicators, Auditor's report, City Reserves and Debt, Surplus Balances and Appropriations as well as a report from the Internal Control Branch updating them on accomplishments and workplans.

Discussion:

The Audit Committee was provided with an in-depth review of the financial statements for the year ending December 31, 2020 with the COVID-19 pandemic as a prevailing theme throughout. In early 2020 we saw the emergence of a new coronavirus, COVID-19, that spread to nearly every country within a few months and resulted in the World Health Organization declaring a pandemic. The COVID-19 pandemic is a health crisis not experienced in our recent history and created complex challenges for families, businesses and many other organizations in our community, including the City of Kelowna.

With very little known as to what kind of financial supports from upper levels of Government would be available to municipalities, anticipated revenue shortfalls, and the unknown ability of citizens and businesses to pay their property taxes the City was faced with potential challenges in maintaining adequate cash flows. Due to the strong support from both our citizen and business communities, property tax collection was on par with previous years. The Consolidated Statement of Financial Position reflects that revenue collections combined with a temporary change in investment strategy

resulted in an increase of \$57.6 million in Cash & Cash Equivalents with only a small decrease in Portfolio Investments of \$1.4 million, while liabilities increased \$8.2 million over 2019. The Consolidated Statement of Operations and Accumulated Surplus shows the anticipated revenue shortfall in Fees and Charges, which were down 22% over 2019 due to COVID-19 and the related public health order restrictions and travel advisories that resulted in decreased air travel, a period of free public transit, the temporary closure and limited re-opening of recreational facilities and the loss of gaming revenues. Significant budget reductions reduced total operating expenditures for 2020 by \$10.1 million. The Consolidated Statement of Changes in Net Financial Assets shows Net Financial Assets at the end of 2020 are \$342.6 million. A significant portion of the increase in Net Financial Assets is attributable to a reduction of \$41.4 million in the Acquisition of Tangible Capital Assets and is the result of deferring non-essential capital projects to 2021. The Consolidated Statement of Cash Flows outlines the cash generated and used by the City's operations, capital, investing and financing activities.

In the Council adopted Financial principles & strategies a key component is Financial Policies and Performance Measures to aid in decision making. The Financial Health Indicators are a set of ratios that the City uses to measure the overall financial health of the City. The ratios provide comparative financial information for the year-ended 2019 using Local Government data for Municipalities with greater than 100,000 population and for Local Governments in the region. The ratios provide a way to measure how decisions made during the year have affected the sustainability, flexibility and vulnerability of the City. They also link the financial results to the overall economic and fiscal environment that the City operates in. The results show that the overall financial health of the City is still strong and is positioned to meet current and future financial obligations.

The Audit report outlined the areas of review that took place and provided a clean audit opinion stating that the City of Kelowna's consolidated financial statements present fairly, in all material respects, the financial position of the City of Kelowna as at December 31, 2020, and the results of operations, its changes in its net financial assets, and its cash flows for the year then ended in accordance with Canadian public sector accounting standards.

Late in 2020, the City received \$7.9 million in emergency financial assistance through the Government of Canada and the Province of BC's Safe Restart plan and allocated \$2.5 million in 2020 and the remainder in 2021. The Kelowna Regional Transit System also received a Safe Restart grant of \$7.3 million late in 2020 of which \$5.9 million was the City's portion with the remainder distributed amongst the regional transit partners. These funds significantly contributed to the surplus of \$8.9M in the General Fund financial results. In a subsequent Council Report being received today the Council Audit Committee recommends the appropriation from surplus to reserve of \$8.5M and the appropriation of \$455k to accumulated surplus. Total accumulated surplus for the General Fund that is unallocated is now \$4.8M dollars at the 2020 year-end which represents approximately 3% of taxation demand.

The Water and Wastewater utility funds 2020 surplus was \$1.9M and \$7.1M respectively, these funds fall to the utilities accumulated surplus which is used for infrastructure replacement, mitigating fluctuations in utility billing rates to ensure that the City can continue to provide sustainable healthy and safe Water and Wastewater services to the Cities citizens.

The Airport had a deficit of \$1.4M due to the pandemic and related provincial health orders restricting travel, significantly reducing passenger volumes. The severity of the deficit was mitigated through the implementation of substantial measures to reduce costs.

The Internal Control branch of the City of Kelowna continued to build review programs to support both the Compliance Program and the Continuous Monitoring Program. The 2020 accomplishments and 2021 workplans were reported to the Audit Committee.

Conclusion:

The preparation for year-end and the audit process provides a detailed review and assessment of the City's Financial results for the year ended and compares those results to the previous year and the budget. The City's Strong Financial principles and strategies are reflected in the 2020 financial results which have positioned the City to continue supporting the community as we overcome the ongoing challenges of the COVID-19 pandemic.

Considerations not applicable to this report:

Legal/Statutory Authority:

Legal/Statutory Procedural Requirements:

Existing Policy:

Financial/Budgetary Considerations:

External Agency/Public Comments:

Communications Comments:

Submitted by: S. Little, Corporate Finance Manager

Approved for inclusion:



G. Davidson, Divisional Director, Financial Services

CC:



2020 Consolidated Financial Statements

Report to Council

May 10, 2021

Outline

- ▶ 2020 Audit Committee Review
- ▶ Audit Results
- ▶ Consolidated Financial Statements
- ▶ Financial Principles & Strategies
- ▶ Key Financial Health Indicators
- ▶ General Fund Financial Results
- ▶ Recommendation of Reserve Appropriations
- ▶ Utility Fund Financial Results
- ▶ Internal Control Update

2020 Audit Committee Review

- ▶ Consolidated Financial Statements
- ▶ Notes to the Financial Statements
- ▶ Financial Health Indictors
- ▶ Auditor's Report
- ▶ Internal Control Branch Update
- ▶ City Reserves and Debt
- ▶ Surplus Balances and Appropriations

Audit Result

City receives a clean audit



Consolidated Financial Statements

- ▶ Financial Position
- ▶ Operations and Accumulated Surplus
- ▶ Changes in Net Financial Assets
- ▶ Cash Flow Activity

Financial Position

CITY OF KELOWNA
Consolidated Statement of Financial Position
As at December 31, 2020
(in thousands of dollars)

	2020	2019
Financial Assets		
Cash and cash equivalents (Note 3)	\$ 76,434	\$ 18,842
Accounts receivable (Note 3)	29,783	40,138
Accrued interest	2,134	2,444
Portfolio investments (Note 3)	547,799	549,192
Long term investments (Note 10)	6,000	6,000
Assets held for resale	10,171	5,072
	<u>672,321</u>	<u>621,688</u>
Liabilities		
Accounts payable	80,452	63,284
Performance deposits	27,299	28,063
Deferred revenue (Note 3)	45,510	45,404
Deferred development cost charges (Note 3)	83,754	79,100
Long term debt (Note 3)	92,653	105,615
	<u>329,668</u>	<u>321,466</u>
Net Financial Assets	<u>342,653</u>	<u>300,222</u>
Non-Financial Assets		
Prepaid expenses	11,631	10,194
Inventory	1,290	1,318
Work in progress (Note 4)	24,092	61,556
Tangible capital assets (Note 4)	1,823,501	1,767,122
	<u>1,860,514</u>	<u>1,840,190</u>
Accumulated Surplus (Note 5)	<u>\$ 2,203,167</u>	<u>\$ 2,140,412</u>

Operations and Accumulated Surplus

CITY OF KELOWNA

Consolidated Statement of Operations and Accumulated Surplus

For the Year Ended December 31, 2020

(in thousands of dollars)

	Budget 2020	Actual 2020	Actual 2019
Revenue			
Taxation (Note 6)	\$ 162,031	\$ 162,405	\$ 155,624
Fees and charges	140,627	118,146	150,516
Interest earned	5,766	13,199	14,316
DCC contributions	31,044	14,391	16,841
Government transfers (Note 7)	37,123	34,579	53,016
Other capital contributions	511	4,714	4,523
Gain on disposal of tangible capital assets	-	2,887	1,241
	<u>377,102</u>	<u>350,321</u>	<u>396,077</u>
Expenses			
General government	36,021	33,692	31,804
Protective services	68,627	65,063	65,549
Transportation	39,758	63,781	64,443
Recreation & cultural	38,975	41,707	45,460
Other services	23,144	24,031	27,711
Airport	18,599	21,907	24,502
Wastewater	14,147	21,913	22,549
Water	12,729	14,571	13,380
Loss on disposal of tangible capital assets	-	819	1,085
Write down of tangible capital assets	-	82	1,164
	<u>252,000</u>	<u>287,566</u>	<u>297,647</u>
Annual Surplus	<u>\$ 125,102</u>	<u>62,755</u>	<u>98,430</u>
Accumulated Surplus, beginning of year		<u>2,140,412</u>	<u>2,041,982</u>
Accumulated Surplus, end of year		<u>\$ 2,203,167</u>	<u>\$ 2,140,412</u>

Changes in Net Financial Assets

CITY OF KELOWNA
Consolidated Statement of Changes in Net Financial Assets
For the Year Ended December 31, 2020
(in thousands of dollars)

	Budget 2020	Actual 2020	Actual 2019
Annual Surplus	\$ 125,102	\$ 62,755	\$ 98,430
Amortization of tangible capital assets	-	68,155	67,697
Proceeds from disposal of tangible capital assets	-	5,191	1,463
Gain on disposal of tangible capital assets	-	(2,067)	(156)
Write down of tangible capital assets	-	82	1,164
Acquisition of tangible capital assets	(238,049)	(88,013)	(129,376)
Contributions of tangible capital assets	-	(2,263)	(502)
Change in inventory and prepaid expenses	-	(1,409)	(6,700)
Increase (decrease) in Net Financial Assets	(112,947)	42,431	32,020
Net Financial Assets, beginning of year	300,222	300,222	268,202
Net Financial Assets, end of year	\$ 187,275	\$ 342,653	\$ 300,222

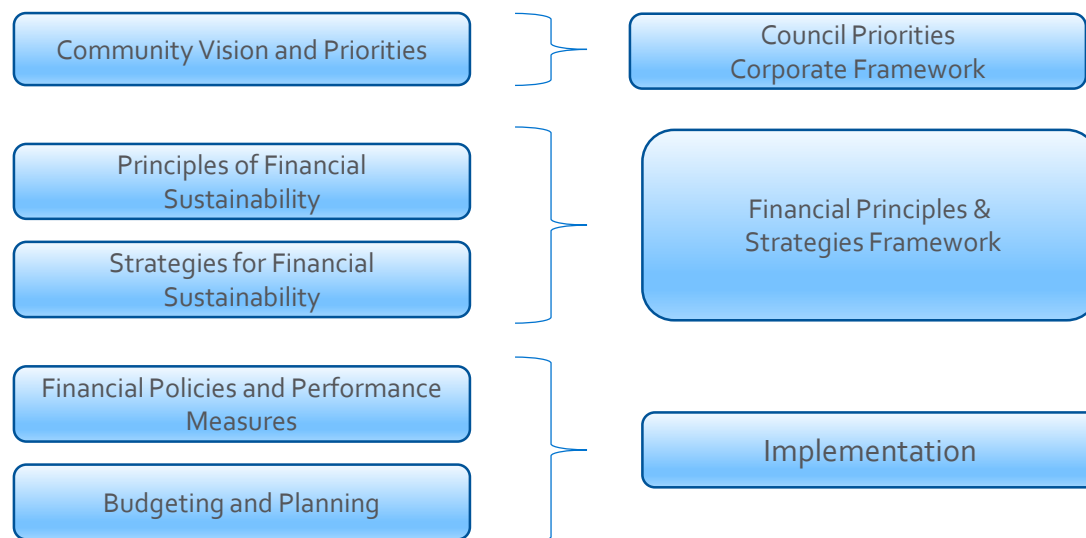
Cash Flow

CITY OF KELOWNA
Consolidated Statement of Cash Flows
For the Year Ended December 31, 2020
(in thousands of dollars)

	Actual 2020	Actual 2019
Net inflow (outflow) of cash and cash equivalents related to the following activities		
Operating		
Annual surplus	\$ 62,755	\$ 98,430
Adjustment for non-cash items		
Amortization of tangible capital assets	68,155	67,697
Gain on disposal of tangible capital assets	(2,067)	(156)
Write down of tangible capital assets	82	1,164
Actuarial adjustment on long term debt	(2,159)	(3,266)
Contributions of tangible capital assets	(2,263)	(502)
Decrease (increase) in		
Accounts receivable	10,355	5,276
Inventory and prepaid expenses	(1,409)	(6,700)
Other assets	(4,789)	(2,475)
Increase (decrease) in		
Accounts payable	17,168	12,362
Deferred development cost charges	4,654	12,266
Other liabilities	(658)	1,505
	<u>149,824</u>	<u>185,601</u>
Capital		
Acquisition of tangible capital assets	(88,013)	(129,376)
Proceeds from disposal of tangible capital assets	5,191	1,463
	<u>(82,822)</u>	<u>(127,913)</u>
Investing		
Change in investments	<u>1,393</u>	<u>(53,376)</u>
Financing		
Proceeds from issuance of long term debt	73	2,952
Repayment of long term debt	(10,876)	(13,411)
	<u>(10,803)</u>	<u>(10,459)</u>
Net increase (decrease) in cash and cash equivalents	57,592	(6,147)
Cash and cash equivalents, beginning of year	<u>18,842</u>	<u>24,989</u>
Cash and cash equivalents, end of year	<u>\$ 76,434</u>	<u>\$ 18,842</u>

Financial principles & strategies

► Decision Making Framework

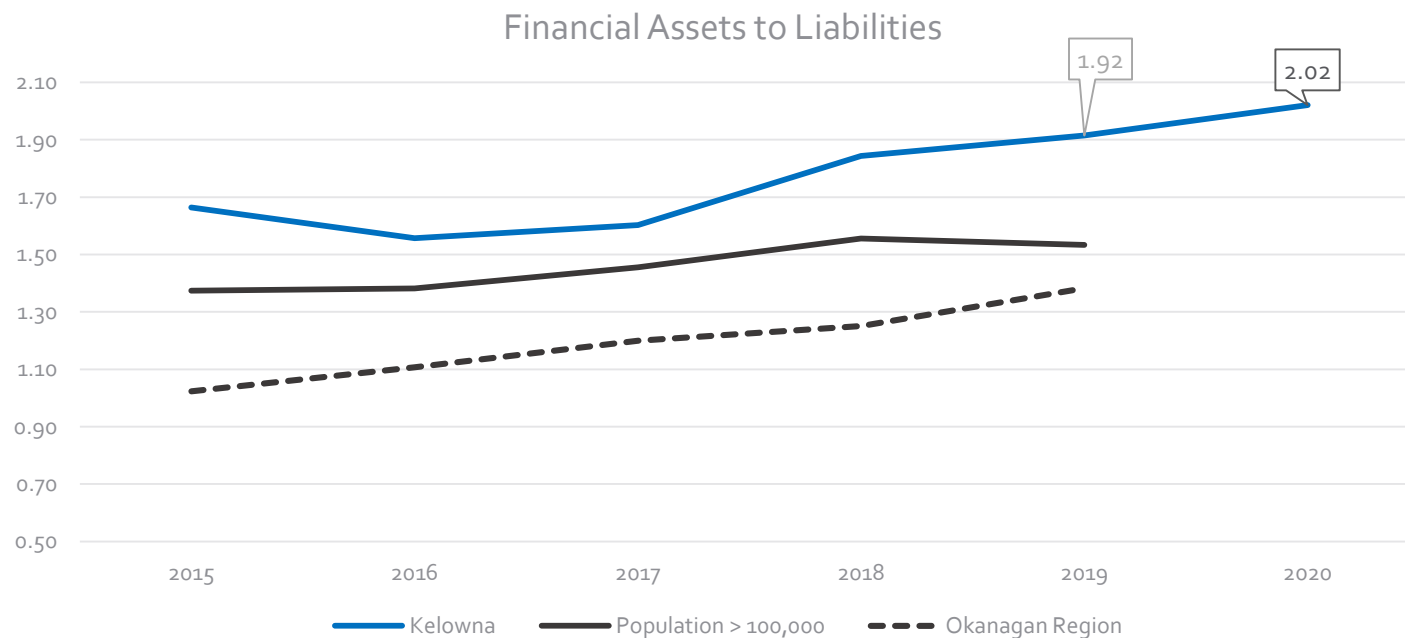


Financial Health Indicators

- ▶ Comparison to Municipalities of similar size
- ▶ Comparison to Municipalities in the Okanagan region
- ▶ Measures Sustainability, Flexibility and Vulnerability

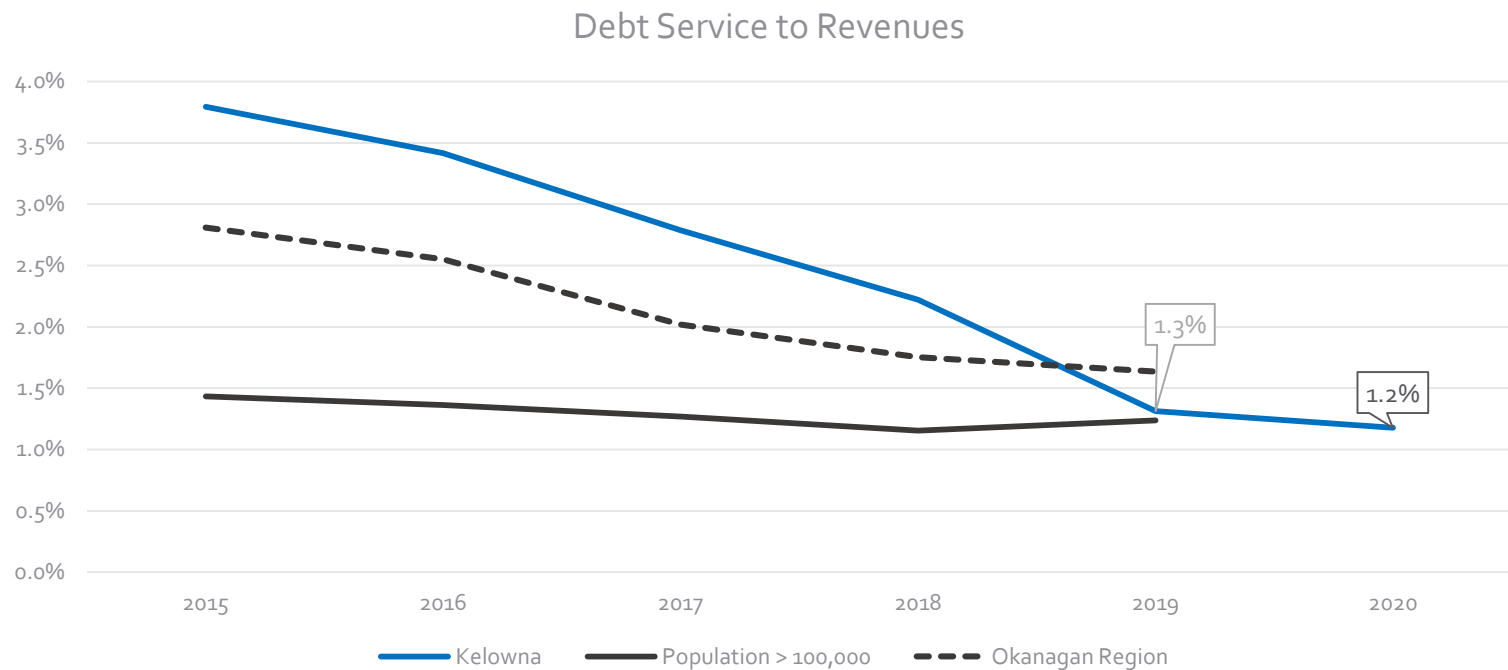
Sustainability Ratio

- ▶ Trending upward in recent years with financial assets growing at a greater rate than financial liabilities



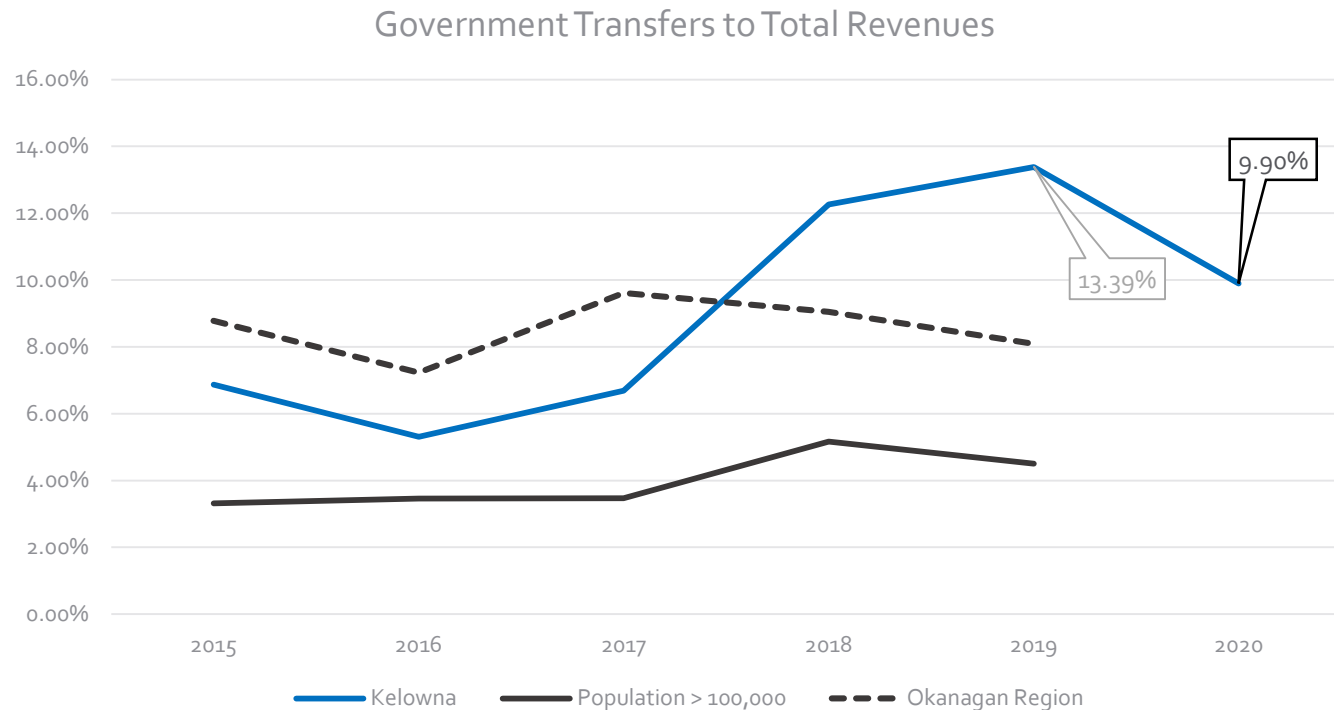
Flexibility Ratio

- ▶ Smaller ratio indicates greater flexibility in future borrowing decisions.



Vulnerability Ratio

- ▶ 2020 decrease due to the conclusion of the SEKID project.



Summary of Financial Health

- ▶ Services vary among Local Governments
- ▶ Decreasing revenues in 2020 challenged the City's flexibility ratios but currently remain at acceptable levels
- ▶ City is still strong and able to meet the ongoing challenges of the pandemic in 2021

2019 General Fund Financial Results

- ▶ General Fund surplus is \$8.9M
 - ▶ 3.4% of operating budget \$259M
 - ▶ Appropriate \$8.5M to reserve to support upcoming projects

- ▶ General Fund accumulated surplus is \$4.8M
 - ▶ Represents 3.0% of taxation demand
 - ▶ Emergency funding only

Appropriation to Reserve for Future Use

Community Safety	\$ 500,000
Slope Stability	750,000
Climate Action	500,000
Major Recreation	2,000,000
Building Repair	950,000
Major Systems	500,000
Future Capital Projects	3,300,000
	<hr/>
	\$ 8,500,000
	<hr/>

Utility Funds & Airport Fund

- ▶ Water & Wastewater Funds surplus \$1.9M and \$7.1M
 - ▶ Infrastructure replacement
 - ▶ Mitigate fluctuations in utility rates
 - ▶ Ensure healthy and safe service delivery

- ▶ Airport deficit \$1.4M
 - ▶ 64% decrease in passenger numbers
 - ▶ Expenditures \$4.4M less than budgeted

Internal Control Update

- ▶ Continued development of review engagement programs & templates for both the Compliance and Continuous Monitoring programs
- ▶ Reported 2020 accomplishments and 2021 work plans to Audit Committee

In Summary

- ▶ Strong Financial Results in 2020
- ▶ Received clean audit opinion
- ▶ Health Indicators show City is well positioned to meet current and future financial obligations
- ▶ Appropriations to reserves of \$8.5M support Council priorities and ability to navigate ongoing challenges of the COVID-19 pandemic
- ▶ Internal Control function achieving desired results



Questions?

For more information, visit kelowna.ca.

Report to Council



Date: May 10, 2021

To: Council

From: Audit Committee

Subject: Financial Statements for the Year Ending December 31, 2020

Department: Report Prepared by: Divisional Director, Financial Services

Recommendation:

THAT Council receives, for information, the Report from the Audit Committee dated May 10, 2021 with respect to the Consolidated Financial Statements and Auditor's Report for the City of Kelowna for the year ending December 31, 2020;

AND THAT Council approves the appropriation of \$8,955,028 of surplus generated from all general fund operations in 2020 to reserves and accumulated surplus as detailed in the Report from the Audit Committee dated May 10, 2021;

AND FURTHER THAT the Consolidated Financial Statements and Auditor's Report be reprinted in and form part of the City of Kelowna's annual report.

Purpose:

To present the Financial Statements to Council for acceptance per the legislative requirement, to provide Council with a recommendation on the appropriation of \$8,955,028 of surplus to general reserves and accumulated surplus and to seek approval to include the Financial Statements in the annual report.

Background:

A detailed review of draft City of Kelowna Financial Statements for the year ending December 31, 2020 was undertaken on April 29, 2021 by the Audit Committee, the City of Kelowna Auditor, Grant Thornton LLP, and Financial Services staff.

City Administration has recommended the appropriation to reserves and accumulated surplus of 2020 surplus generated from all general fund operations, in the amount of \$8,955,028 in addition to those amounts that are normally appropriated through the budget process. The Audit Committee is in

agreement with the reasons provided for the appropriation. This results in an unappropriated surplus for 2020 of \$455,028 and an accumulated surplus balance of \$4.8 million.

The recommended appropriations to reserves are:

Community Safety	\$ 500,000
Slope Stability	750,000
Climate Action	500,000
Major Recreation	2,000,000
Building Repair	950,000
Major Systems	500,000
Future Capital Projects	3,300,000
Accumulated Surplus	<u>455,028</u>
	<u>\$8,995,028</u>

Legal/Statutory Authority:

The Community Charter section 167 "Annual Financial Statements" requires that municipal financial statements for a fiscal year must be presented to Council for its acceptance.

Financial/Budgetary Considerations:

The financial impact is that a total of \$8,500,000 will be transferred from surplus to reserves and \$455,028 will fall to accumulated surplus.

Considerations not applicable to this report:

Legal/Statutory Procedural Requirements:

Existing Policy:

External Agency/Public Comments:

Communications Comments:

Submitted by: Mayor Basran, Chair, Audit Committee

cc: Councillor G. Given, Audit Committee
Councillor L. Stack, Audit Committee
Divisional Director, Financial Services
Controller
Financial Planning Manager
Corporate Finance Manager
Grant Thornton LLP, Auditor – Mr. Tyler Neels, CPA, CA

Report to Council



Date: May 10, 2021

To: Council

From: City Manager

Subject: Proposed Amendments to the Development Applications Procedure Bylaw

Department: Development Planning

Recommendation:

THAT Council receives, for information, the report from the Development Planning Department dated May 10, 2021, with respect to amending the Development Application Procedures Bylaw No. 10540 for applications which require Bylaws (Rezoning and OCP Amendment).

THAT Council direct staff to bring forth changes to the Development Application Procedures Bylaw No. 10540 as outlined in the report from the Development Planning Department dated May 10, 2021.

T HAT Council direct staff to bring forth the proposed OCP amendment and Rezoning bylaws for the properties located at 1464, 1468 and 1476 Bertram Avenue for early consideration.

Purpose:

To facilitate a discussion with Council regarding the City's development application process for applications requiring Bylaws and provide suggestions on modifying the process for complex projects.

Background:

Over the past five years the pace of development projects being proposed in Kelowna has increased significantly. Along with this, the scope and complexity of the projects being proposed is continuing to increase with more complicated urban projects. However, the City's approach to the review and processing of these applications has largely remained unchanged. The process and steps are formally outlined in the City's Development Application Procedures Bylaw No. 10540 (Refer to Attachment A – Outline of Current Council Process and Requirements for Consideration of Bylaws). In reviewing the practices/processes of other BC municipalities, it is evident that there are a range of possibilities available under the Local Government Act as many of these municipalities have customized their planning processes to suit local context and values.

Staff find processing some of the more complicated files challenging especially when applicants push the boundaries of what City policy and staff are able to support. When staff make a negative recommendation, Council expects that an alternative recommendation of support be provided with all the necessary terms and conditions negotiated (to be able to approve). Details involved may include the completion of Environmental Impact Assessments or Transportation Impact Assessments and

involvement or sign-off from relevant provincial departments (e.g. 12-24 month process). A significant amount of resources can be invested in an application both in terms of staff time as well as by the applicant and their various consultants. When that amount of time and resources is put into a project, it can be challenging for staff to recommend against a project. In other instances, which may garner staff support, standard development application requirements may not necessarily scale up that well to larger more complicated processes such as public consultation and notification.

Staff have the ability to revise the Development Applications Procedure's Bylaw to be more context sensitive and better address larger, more complicated files.

The proposed change would allow Staff flexibility to bring complex Bylaw Applications directly to Council prior to completion of all requirements. It would allow for savings of:

- Time – Staff, Applicant and Consultant. This is extremely valuable due to the volume of projects in-process.
- Cost – Reports and Assessments not only take large amount of time but require a considerable investment on behalf of the applicant without providing any certainty of outcome.
- Certainty – Due to both the amount of time and the costs associated with completing the required reports and assessments, providing the applicant with more certainty (*if non-support will be the final outcome*) earlier in the process is beneficial to all involved. Staff provide recommendations based on the OCP and when a proposal is well outside of the OCP direction, Council would be able to provide clear direction to both Staff and the Applicant in regard to if the project has merit and should proceed through the current application process.

Discussion:

Referencing some of the Lower Mainland municipalities, initial consideration of bylaws is often separated from first reading for larger, more complicated files. This allows staff to bring forward a file to Council earlier in the process and for Council to not only consider the bylaw's appropriateness, but also provide direction in terms of how best to consider the proposal. This allows Council to provide input the steps in the process including the level of public consultation; or to stop an application early in the process. Technical reports and assessments not only take large amounts of time but also require considerable investment on behalf of the applicant and their consulting teams without providing any certainty of outcome. Providing additional direction early in the process would be beneficial to all involved. Should a proposal be supported at initial consideration, the applicant would then be expected to complete all technical requirements prior to coming back for first reading of the bylaw.

This step may add additional time to processing applications and it may not be necessary for the more straight-forward (staff supported) applications. Should a change in the development process be determined to have merit, it may only apply to Major Rezoning and Major OCP Amendment applications. The following indicates factors which put an application into the Major category for each application type (either a Zoning Bylaw or an OCP Amendment Bylaw):

Major Zoning Bylaw Amendment Applications include one of the following:

- Involves creation of a Comprehensive Development zone; or
- Involves a total land area of 2.0 hectares or greater; or
- Involves the addition of 100 or more dwelling units and/or parcels; or
- Involves a major change in land use intensity (including, but not limited to, local to urban centre commercial, or business to heavy industrial).

Major OCP Amendment Applications include one of the following:

- Involves a major change to the Future Land Use class (including, but not limited to, Residential to Commercial, Commercial to Industrial, Resource Protection to Residential) of the applicable parcel(s) or portions thereof; or
- Involves a change of two (2) increments within a Future Land Use class (including, but not limited to, Single / Two Unit Residential to Multiple Unit Residential (Medium Density) (ex. S2RES to MRM)
- Involves a significant deviation to other relevant development policy.

Proposed Council process and requirements for consideration of Bylaws:

Under the Local Government Act, the Municipality has the ability to separate Initial Consideration of the proposal from First Reading of the proposed Bylaw changes. This would allow the ability for Council consideration prior to finalizing or completing the TIA or other reports.

1) Initial Consideration:

- a) Staff has the ability to bring an application directly to Council for Consideration prior to requiring the completion of a TIA or other technical reports.
 - i. Applies to applications proposing development well beyond OCP Policy/Guidelines.
- b) Council has the option to:
 - i. Turn down the application - application is defeated and closed.
 - ii. Direct the applicant to complete all necessary requirements (ex. TIA etc). The requirements would be noted as recommendations by Staff for Council to endorse.
 - iii. Direct staff to bring the Bylaw to Council for 1st Reading upon all requirements being met.
 - iv. Provide Council the opportunity to provide direction and to customize any City requirements (ex. Requiring more robust public consultation requirements).
 - v. The application would follow the remainder of the existing Council processes from 1st reading through to Adoption of the Bylaw (Refer to Attachment A – Outline of Current Council Processes and Requirements for Consideration of Bylaws).

Conclusion:

Should Council see merit in bringing about changes in the Development Application Procedures Bylaw, staff would come forth with a formal report for consideration with recommendations for changes. Overall the intention of any change would be to bring a degree of flexibility to the review of more complicated development proposals and to provide a greater degree for Council direction to shape a development proposal.

Pilot Project

In addition to bringing about formal changes, staff could also proceed with a test case for Council's consideration. The property owner for the parcels located at 1464, 1468 and 1476 Bertram Avenue has made application for a major OCP amendment and rezoning application in order to develop a 46-storey tower project. By current practice, this project would require a Transportation Impact Assessment and negotiation not only with the City, but also with the Ministry of Transportation. It is anticipated that this study and negotiation could take 12-18 months which would normally occur prior to Council's initial consideration. The proposal is well beyond City policy and regulations and so Staff could bring this project to Council for early consideration (prior to commencement of the TIA) in order to provide greater certainty to all parties involved.

Internal Circulation:

Department of the City Clerk
Policy and Planning Department

Considerations applicable to this report:

Legal/Statutory Authority:

Development Application Procedure Bylaw No. 10540: 2.2 Council Decisions & Schedule 2

Community Charter: Division 3 – Bylaw Procedures – Requirements for Passing Bylaws

135 (1) Before a bylaw is adopted by a council, it must be given 3 readings by the council.

(2) Subject to this section and the applicable procedure bylaw, a bylaw may be given up to 3 readings at one meeting of council.

(3) There must be at least one day between the third reading and the adoption of a bylaw.

Considerations not applicable to this report:

Legal/Statutory Procedural Requirements

Existing Policy

Financial/Budgetary Considerations

External Agency/Public Comments

Communications Comments

Submitted by:

L. Korolchuk, Planner Specialist

Approved By:

J. Black, Urban Planning Manager

Approved By:

T. Barton, Development Planning Department Manager

Approved for inclusion:

R. Smith, Divisional Director, Planning and Development Services

Attachment A – Outline of Current Council Process and Requirements for Consideration of Bylaws:

1) Initial Consideration and 1st Reading:

- a) Traffic Impact Assessment (TIA) – Is a coordinated effort between the Ministry of Transportation and Infrastructure, the City of Kelowna (Development Engineering & Development Planning Departments), and the Traffic Consultant on behalf of the Applicant.
 - i. All requirements must be determined and negotiated prior to the application being considered by Council. This may include items such as, but not limited to: the addition of stop lights/ signage, addition of turn lanes, modifications to intersections that are directly or indirectly impacted due to the increased trip count generated by a proposed development and the number of residential dwelling units.
 - ii. This is a costly exercise which depending on the complexity of the proposal and affected roadways can take anywhere from 6 months to 1 – 2 years to complete. The endeavor requires a large amount of time from all participants.

2) Public Hearing, 2nd & 3rd Readings:

- a) Fulfillment of the requirements as noted within:
 - i. Council Policy 367 - Public Notification and Consultation for Development Applications
 - ii. City of Kelowna – Development Notice Signage Policy
 - iii. Department of the City Clerks – Notice Posting requirements

3) 4th Reading and Adoption

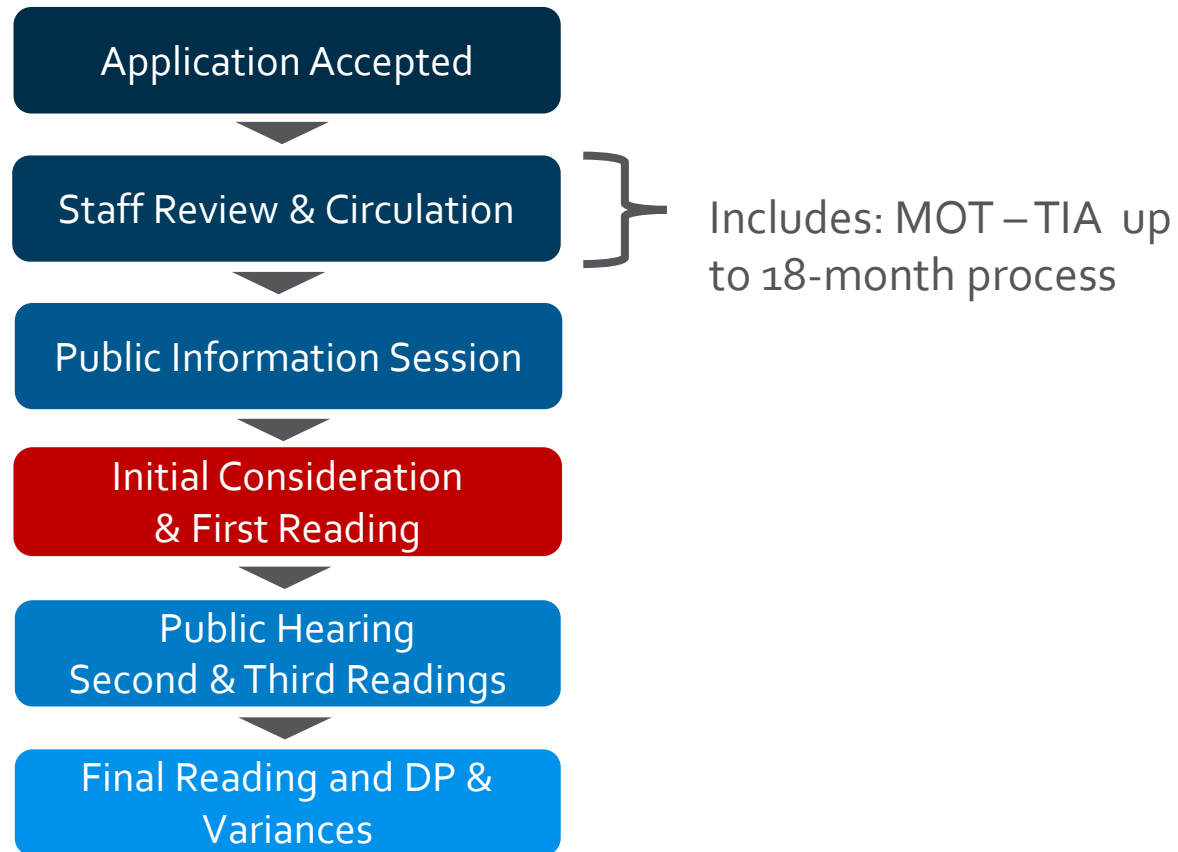
- a) Development Engineering requirements must be completed (this may include entering into a Service Agreement and the provision of Security for the required works to be completed)
- b) MOTI must provide written approval of the Bylaw prior to adoption.

Proposed Amendments to the Development Applications Procedure Bylaw No. 10540

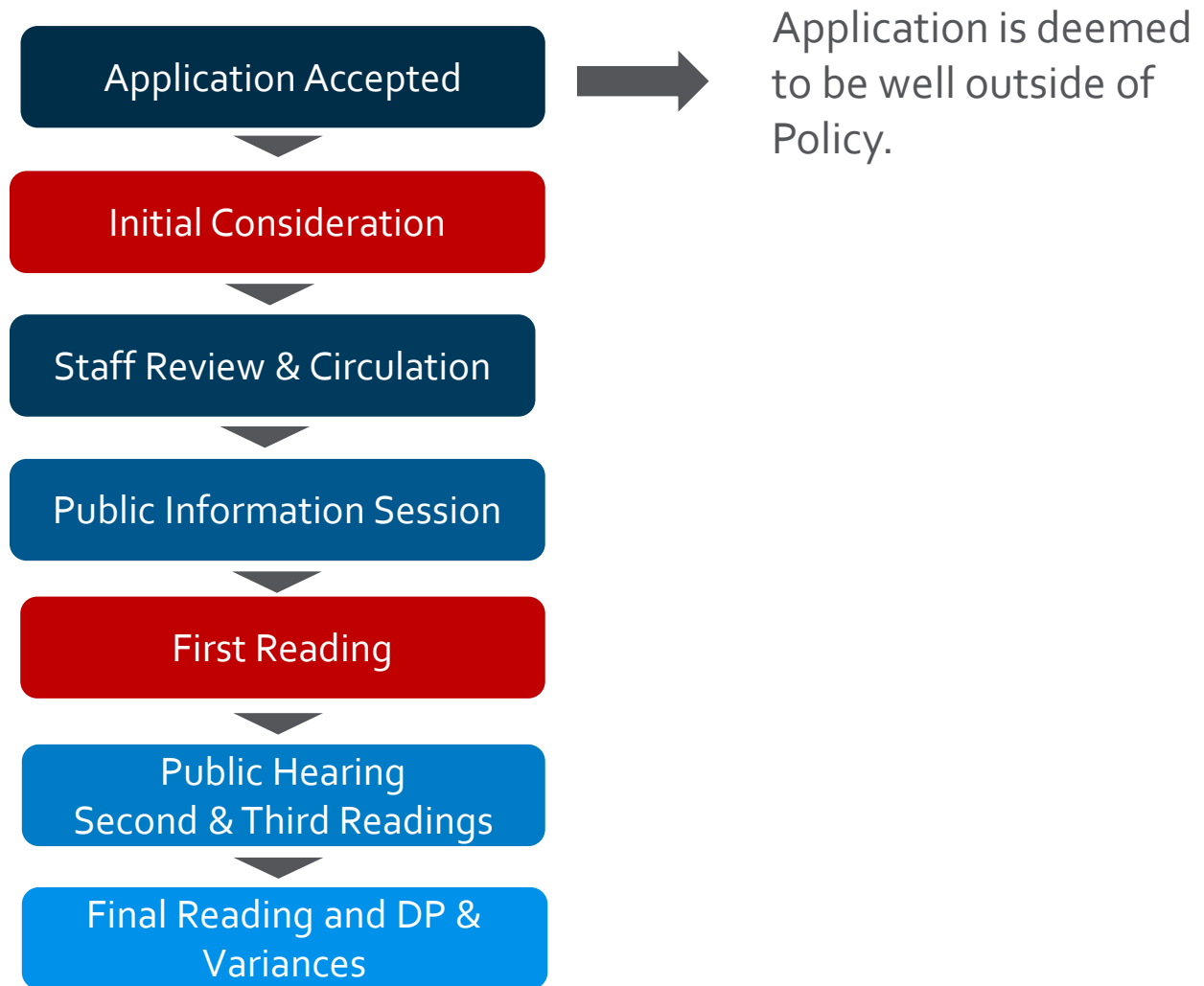
Proposal

- ▶ To facilitate a discussion with Council regarding the City's development application process for applications requiring Bylaws and provide suggestions on modifying the process for complex projects.

Existing Development Process



Proposed Development Process



Applicable Applications

- ▶ Major Rezoning Amendment:
 - ▶ Involves the creation of a CD zone;
 - ▶ Involves a total area of 2.0 hectares or greater;
 - ▶ Involves the addition of 100 or more dwelling units and or parcels.
- ▶ Major OCP Amendment:
 - ▶ Involves a major change to the Future Land Use class (ie: Residential to Commercial, Resource Protection to Residential);
 - ▶ Involves a change of two or more increments within a Future Land Use class (ie: S2RES to MRM)
 - ▶ Involves a significant deviation to other relevant development policy.

Staff Recommendation

- ▶ That Council directs Staff:
 - ▶ To amend the Development Application Procedures Bylaw No. 10540 to:
 - ▶ Separate Initial Consideration and First Reading to allow staff to bring forward certain applications to Council earlier in the process.



Conclusion of Staff Remarks

Report to Council



Date: May 10, 2021
To: Council
From: City Manager
Subject: Contract for Dispatch for Regional District of East Kootenay
Department: Report Prepared by: Sandra Follack, Deputy Fire Chief

Recommendation:

THAT Council approves the City's renewal of the contract with the Regional District of East Kootenay to provide fire dispatch and records management in the form attached to the Report of the Fire Chief Dated May 10, 2021;

AND THAT the Mayor and City Clerk be authorized to execute all documents associated with this transaction;

AND FURTHER THAT the 2021 Financial Plan be amended to include the additional revenue from the contract renewal.

Purpose:

To have Council approve a five (5) year contract to provide fire dispatch and records management to the Regional District of East Kootenay (RDEK)

Background:

Staff has completed negotiations with RDEK for the provision of fire dispatch and records management as a renewal of the existing contract. The attached contract was presented to the Board of RDEK Monday March 22 for endorsement and was approved. With Council's endorsement of this contract, staff will continue to dispatch for the RDEK effective May 30th, 2021 through 2025.

Financial/Budgetary Considerations

The five-year dispatch revenue from the contract with the RDEK is \$1,001,577. The annual Dispatch costs are based on the previous contract with a 2.5% increase yearly.

Year	2021	2022	2023	2024	2025
Net Revenue	190,548	195,311	200,193	205,198	210,328

Kelowna Fire Department continues to work with Financial Services to ensure the sale of dispatch services continues to provide value to the City of Kelowna.

In addition, the Kelowna Fire Department will continue to work with Information Services to ensure that support to the service is aligned with internal capacity. This includes enhancing technical monitoring services to increase redundancies and reduce risk of technical failures.

Internal Circulation:

Financial Analyst, Kelowna Fire Department
Manager, Financial Planning
Manager, Information Services

Considerations not applicable to this report:

Legal/Statutory Authority:

Legal/Statutory Procedural Requirements:

Existing Policy:

Financial/Budgetary Considerations:

External Agency/Public Comments:

Communications Comments:

Submitted by:

S. Follack
Deputy Fire Chief, Kelowna Fire Department

Approved for inclusion:



S. Leatherdale, Divisional Director, Corporate & Protective Services

Attachments:

Agreement – RFP – Fire Dispatch – RDEK Kelowna Contract Final.PDF
Agreement – RFP – Fire Dispatch – RDEK Kelowna Schedule A Final.PDF
Agreement – RFP – Fire Dispatch – RDEK Kelowna Schedule B Final.PDF
Agreement – RFP – Fire Dispatch – RDEK Kelowna Schedule C Final.PDF

THIS AGREEMENT dated for reference ____ day of _____ 20____.

BETWEEN:

THE CORPORATION OF THE CITY OF KELOWNA
1435 Water Street
Kelowna, B.C. V1Y 1J4

(hereinafter called "Kelowna")

OF THE FIRST PART

AND:

REGIONAL DISTRICT OF EAST KOOTENAY
19-24th Avenue South
Cranbrook, BC V1C 3H8

(hereinafter called the "RDEK")

OF THE SECOND PART

WHEREAS:

- A: The *Local Government Act* and the *Community Charter* provide that the corporate powers of local government include the power to make agreements with a public authority respecting activities, works or services within the powers of a party to the agreement, including agreements respecting the undertaking, provision and operation of activities, works and services;
- B: The RDEK issued a Request for Proposals for fire dispatch service (the "RFP");
- C: Kelowna submitted a renewal letter to the RDEK dated January 21, 2021 (Renewal Letter for RDEK) in response to the contract terms,
- D: The RDEK has agreed to contract with Kelowna for the provision by Kelowna of fire dispatch services to the RDEK in accordance with the terms set out herein for the receipt and processing by means of computer-aided dispatch service and re-transmission of emergency related calls to the RDEK, including selection of optional services regarding records management system.

NOW THEREFORE THIS AGREEMENT WITNESSETH that in consideration of the mutual covenants and agreements herein contained and subject to the terms and conditions hereinafter set out, the parties hereto mutually agree as follows:

1. Definitions

1.1 In this agreement:

- (a) **"CAD"** means the computer-aided dispatch system maintained and used by Kelowna;
- (b) **"Emergency"** means any reported event for which fire department personnel are directed to attend in response to an actual risk of fire, hazardous material spill, accident, disaster or medical situation for which an incident number is generated;
- (c) **"Fire Departments of the RDEK"** means the list of fire departments established or approved by the RDEK as described in Schedule "C" attached hereto and forming part of this Agreement, and as amended from time to time.
- (d) **"Fire Dispatch Centre"** means the Fire Dispatch Centre maintained by the Kelowna Fire Department;
- (e) **"Service"** means the provision by Kelowna of fire dispatch services to the RDEK in accordance with the requirements as set out in paragraph 2 herein and Schedule "A" attached hereto and forming part of this Agreement; and
- (f) **"Term"** means the term of this Agreement as provided under Section 4.

2. Services

2.1 Throughout the Term, Kelowna will provide the RDEK with fire dispatch and communications services including the following:

- (a) 911 emergency calls for fire department assistance that originate in the RDEK will be received and processed by the Fire Dispatch Centre;
- (b) The Fire Dispatch Centre will use its CAD system to initiate incident reporting and dispatch the call to the required Fire Department of the RDEK;
- (c) After the initial dispatch, the Fire Dispatch Centre will provide full incident command support to the RDEK including the call out of additional resources specific to the incident (including, through the activation of mutual aid agreements between one or more other local governments and fire departments under which firefighting and other resources are provided in the event of an Emergency) where required by the RDEK. The responsibility of Kelowna for the callout of RDEK personnel in addition to those on shift shall be limited to a single point of contact as mutually agreed to by the Parties; and
- (d) The services referred to in Schedule "A" hereto and forming part of this Agreement.

2.2 Kelowna will provide Services in accordance with standards and operating procedures utilized by the Kelowna Fire Department unless a variance of such standards or operating procedures is mutually agreed between the Parties.

The Fire Dispatch Center will continue to utilize a performance expectations program with its employees, as outlined in the Kelowna Proposal. The three phased program will be based upon NFPA 1221, 2010 standards and will assist in motivating, recognizing, and enabling employees to improve performance. This program may be modified from time to time.

It is understood that the Fire Dispatch Center will strive to meet the standard of service for emergency communications in the fire service being the National Fire Protection Association Standard 1221, *Standard for the Installation, Maintenance, and Use of Emergency Services Communications Systems*.

For certainty, any lapse in communication, delay in communication, or miscommunication arising from a failure of the Fire Dispatch Centre communication services as described under section 2.4 will be the sole responsibility of Kelowna.

- 2.3 Kelowna will not be responsible for dispatching RDEK Fire Departments out of their respective specified area.
- 2.4 Kelowna will provide, at the Fire Dispatch Centre, all equipment, computer software and personnel necessary for the provision of fire dispatch and communication services under this Agreement and will ensure that all Kelowna personnel who participate in providing the Services are fully trained. The RDEK will, on its respective premises, provide all computer hardware and other equipment needed in order to maintain the required service link with the Fire Dispatch Centre. The RDEK will also maintain the radio and paging network use to deliver service in the East Kootenay
- 2.5 Kelowna will retain all voice recordings of requests for emergency assistance received from within the RDEK for a period of seven (7) years or such longer time as may be required by law. Kelowna will retain all 911 and other records normally kept by and under its own operating procedures in relation to the dispatch and communication services for a period of two (2) years or such longer time as may be required by law. All records and data maintained by Kelowna will be stored in a secured area, and access to those records and data will be given to duly authorized personnel of the RDEK.
- 2.6 The Parties will meet initially at 3 months, thereafter bi-annually (6 months) or such other frequency as may be mutually agreed, meet for the purposes of resolving issues, sharing information and identifying procedural communications or equipment changes.
- 2.7 All records or recordings and such other data as pertains to Service provided under this Agreement to the RDEK will be and remains exclusively the property of the RDEK and may not be released to others without its express consent. Information may only be released under request of a corporate officer of the RDEK or designates as identified by such corporate officer in writing. Kelowna agrees that all such records, recordings and data will be held in trust by Kelowna as trustee for the sole benefit of the RDEK provided that Kelowna may retain copies. For clarity, all records, recordings and other data remain subject to the retention provisions of section 2.5 of this Agreement.
- 2.8 Kelowna agrees that neither Kelowna nor any person for whom Kelowna is responsible at law will disclose to any person, any information learned about the RDEK, its servants, employees, agents or persons who are subject of an Emergency including any information provided in accordance with the requirements of this Agreement. Kelowna acknowledges and agrees that all such information is confidential and will not be released except in accordance with the requirements of the *Freedom of Information and Protection of Privacy Act, British Columbia*.

3. RDEK Equipment

- 3.1 All radios including base stations, pagers and any other hardware required to facilitate the Service shall be purchased, licensed, and maintained by the RDEK, with the exception of equipment within the Fire Dispatch Centre.
- 3.2 All radio licenses and other related requirements of Industry Canada shall be the responsibility of the RDEK.

4. Term

- 4.1 The term of this Agreement will commence on the 30th day of May 2021 and terminate on the 29th day of May 2026. On or before May 30th, 2025 either party will communicate to the other their interest in negotiating terms of a subsequent agreement and if both parties are in agreement, the parties will commence negotiation of the terms of such subsequent agreement, providing always that failure to reach an agreement on terms will not bind the parties to a subsequent agreement or extension of the current agreement unless otherwise agreed in writing.

5. Fees

- 5.1 For the Service, the RDEK agrees to pay to Kelowna, the fees and charges as contained in Schedule "B" attached hereto and forming part of this Agreement.

6. Indemnity

- 6.1 The RDEK agrees that it will indemnify and save harmless Kelowna, its councilors, employees, and agents from and against any claims, suits, actions, causes of action, costs, damages, or expense of any kind that result from:

- (a) negligence of the RDEK and its employees, contractors and agents; or

- (b) a breach of this Agreement by the RDEK.

- 6.2 Subject to the provisions of section 2.3 of this Agreement, Kelowna agrees it will indemnify and save harmless the RDEK, its directors, employees and agents, from and against any claims, suits, actions, causes of action, costs, damages or expense of any kind that result from:

- (a) negligence of Kelowna and its employees, contractors and agents in the provision of the Services; or

- (b) a breach of this Agreement by Kelowna.

7. Default and Early Termination

- 7.1 If either party is in breach of this Agreement and the breach is not corrected within thirty (30) days after notice of the breach provided to that party, the party not in breach may terminate this Agreement.
- 7.2 By notice in writing delivered any time after March 19, 2023, either party may elect to terminate this Agreement, in which case the arrangement for Services provided hereunder shall be terminated

effective twelve (12) months from the date of the said notice. In the event of early termination under this provision, the fees paid to Kelowna as provided herein for the year of the Term in which such termination takes effect shall be prorated.

8. Dispute Resolution

- 8.1 Both RDEK and Kelowna agree to co-operate and use their best efforts to resolve any dispute which may arise regarding this Agreement or the Services contemplated within this Agreement or the responsibilities or rights of each party under it, including the candid and timely disclosure of all relevant information and documentation to each other. If the dispute cannot be resolved, it shall be first referred to each party's managing director responsible for fire dispatch services in order that they may attempt to resolve the dispute. In the event the two representatives are unable to reach agreement regarding the dispute, may be submitted to arbitration by delivery of a Notice of Arbitration in writing to the other party. The arbitration must be conducted by a three-person panel comprised of one appropriately qualified staff person appointed by the parties and one person chosen jointly by the two appointed staff persons, who shall be the chair of the arbitration panel. If the two staff appointees cannot agree on the choice of the chair of the arbitration panel then the chair must be appointed by a Judge of the Supreme Court of British Columbia. The arbitration will be governed by the *Commercial Arbitration Act (British Columbia)*. The place of arbitration will be Penticton, British Columbia, Canada, and the costs will be borne equally by the parties.

9. No Joint Venture

- 9.1 Nothing contained in this Agreement creates a relationship of principal and agent, partnership, joint venture or business enterprise between the parties or gives either party any power or authority to bind or control the other.

10. Notices

- 10.1 Where any notice, request, direction, consent, approval or other communication (any of which is a "Notice") must be given or made by a party under this Agreement. It must be in writing and is effective if delivered in person, sent by registered mail addressed to the party for whom it is intended at the address set forth above in this Agreement, to the attention of the Fire Chief; or to the attention of the RDEK Building and Protective Services Manager. Any Notice is deemed to have been given:

- (a) if delivered in person, when delivered;
- (b) if by registered mail, when the postal receipt is acknowledged by the other party; and

A party may change its contact information by Notice in the manner set out in this provision.

11. General Provisions

- 11.1 If any provision of this Agreement is held invalid by a court of competent jurisdiction, the invalid portion shall be severed and the provision that is invalid will not affect the validity of the remainder of this Agreement.
- 11.2 The RDEK will continue to be responsible for receiving all non-emergency and business calls directly during normal business hours.

- 11.3 The RDEK will provide Kelowna with all information deemed reasonably necessary by the Kelowna Fire Chief or his designate in order that Kelowna may properly provide the Service and be responsible to update such information on a regular basis as required.

The RDEK will provide a single point of contact for all administration and operational matters.

- 11.4 Time is of the essence to this Agreement.
- 11.5 This Agreement will ensure to the benefit of and be binding upon the parties hereto and their respective successors and permitted assigns.
- 11.6 The waiver by a party of any failure on the part of the other party to perform in accordance with any of the terms or conditions of this Agreement is not to be construed as a waiver of any future or continuing failure, whether similar or dissimilar.
- 11.7 No remedy under this Agreement will be deemed to be exclusive but will, where possible, be cumulative, as will all other remedies at law or in equity.
- 11.8 Whenever the singular, masculine or neuter are used throughout this Agreement, the same is to be construed as meaning the plural or the feminine or the body corporate or politic as the context so requires.
- 11.9 This Agreement will be construed in accordance with and governed by the laws applicable in the laws of the Province of British Columbia.
- 11.10 Section and paragraph headings are inserted for identification purposes only and do not form part of this Agreement.
- 11.11 Neither party may assign this Agreement without the written consent of the other party.
- 11.12 This Agreement may not be modified or amended except by written agreement of the parties.
- 11.13 This Agreement contains the entire agreement and understanding of the parties with respect to matters contemplated by this Agreement and supersedes all prior and contemporaneous agreements between and with respect to such matters.
- 11.14 All representations and warranties set forth in this Agreement and all provisions of this Agreement, the full performance of which is not required prior to a termination of this Agreement, shall survive any such termination and be fully enforceable thereunder.
- 11.15 This Agreement may be executed in as many counterparts as may be necessary or by facsimile, each of which will together, for all purposes, constitute one and the same instrument, binding on the parties and each of which will together be deemed to be an original, notwithstanding that all parties are not signatory to the same counterpart or facsimile.

IN WITNESS WHEREOF this Agreement has been executed as of the day and year first above written.

THE CORPORATION OF THE CITY OF KELOWNA
by its authorized signatories:

MAYOR

CITY CLERK

REGIONAL DISTRICT OF EAST KOOTENAY
by its authorized signatories:



CHAIR



CHIEF ADMINISTRATIVE OFFICER

Schedule A

It is agreed that the Fire Dispatch Centre will provide the following services:

1. Emergency Call Taking
 - a. Emergency telephone call receipt (9-1-1)
 - b. Receive telephone calls regarding emergency incidents
 - c. Receive radio reports regarding emergency incidents
 - d. Receive smoke sighting reports from Forest, Lands and Natural Resource Operations & Rural Development
2. Call Processing and Response
 - a. Dispatch resources in accordance with standard operating guidelines, perceived incident level and local response plans, including customized levels of response as supported by CAD:
 - i. Incident notification via voice paging system, secondary notification via email and/or text messaging, incident details via facsimile or network/internet rip and run report.
 - b. Call and liaise with local fire chiefs/authority regarding nature of incident/complexity, resources required, via radio or telephone.
 - c. Notification acknowledgement confirmation (within three (3) minutes, then activate default no-response procedures).
 - d. Monitor and record calls at the command channel level.
 - e. Receive and process requests for additional resources:
 - i. Including contact with the utility, Emergency Management BC, highways, forestry, rail representatives, and other resources as required.
 - f. Generate and maintain initial incident reports for all incidents.
 - g. Incident reporting post conclusion of incident.
 - h. Dedicated telephone number (toll free) for responders to access the Fire Dispatch Centre.
3. Media Liaison
 - a. Provide limited incident information to media outlets after hours or if Incident Command has not staffed the Information Officer position.
4. Full recording of all 9-1-1, non-emergency telephone and radio (paging and command) communications.

The following TELUS requirements should be noted:

1. Processing of 9-1-1 calls will require the availability of E911 Tandem to Tandem trunking and a reconfiguration of the TELUS 9-1-1 network.
2. Some splitting and segregation of the 9-1-1 Emergency Service Zone (ESZ) may be required.

The above noted items will be the responsibility of the RDEK, working with TELUS to obtain and deliver.

The following additional requirements of the RDEK should also be noted:

1. This agreement covers standard emergency dispatch services. Any incident or incidents which escalate into an event requiring extraordinary powers under a declaration of a state of local, provincial, or federal emergency may require additional human resources (dispatch and related support personnel) to maintain an appropriate level of service. Should additional personnel be required in addition to staff already on duty, current call back rates would apply and be invoiced.
2. RDEK must supply and keep current; response Operational Guidelines (including mutual and automatic aid agreements) to guide the Fire Dispatch Centre in assigning an appropriate response to all incidents.
3. The Fire Dispatch Centre will not be responsible for the processing of non-emergency or administrative phone calls, beyond providing basic information only. A number(s) must be provided such that these callers can be redirected as required.
4. RDEK is responsible for their radio and pager licensing, acquisition, operation, and maintenance costs, related to delivery of the service within the RDEK area.
5. All communications equipment and installations will strive to meet NFPA 1221 Standard for the Installation, Maintenance, and Use of Emergency Services Communications Systems.
6. RDEK must ensure that a preventative maintenance service agreement for all communications equipment is in place and regular maintenance of the equipment to accepted emergency equipment standards is performed.
7. All future additional mobile equipment, or data connection costs, including MobileCAD and/or Mobile RMS, is the responsibility of the RDEK.
8. RDEK must provide a single point of contact for all administration and operational matters.

Proposal Impact on Current Operations:

1. Additions to equipment, software, and resources

Additions are required to our FDM RMS software/hardware system as noted in Schedule 'B' of this contract.

Please note the following data requirements:

- a. Any existing RDEK response logic and response zone shape files currently in use.
- b. RDEK map data in the form of shape files (or other file formats able to be converted to shape files) including but not limited to:
 - i. Political boundaries
 - ii. Fire protection areas
 - iii. Fire contract areas
 - iv. Fire response zones

- v. Fire hydrants and/or water supplies
- vi. Trails, pathways
- vii. Parcels
- viii. Ortho photos
- c. Information will be updated on a regular basis, as required.

Additions and upgrades will be required to our radio system, and these will be dependent on the type of interface agreed on.

2. Enhancements and additions to current dispatch facility
 Our current facility includes three dispatch/call taker positions and two call taker positions, No enhancements or additions to our current dispatch facility are required.

Other Details

1. Ability to customize service to meet specific response protocols for each fire department

All current clients requiring specific response protocols have been met using one or all of the following capabilities with FDM:

- a. Basic back-up apparatus: where a station has more than one piece of apparatus configured to respond to additional calls for service, they can be defined as back up apparatus. Similarly, if a department has more than one station, apparatus from subsequent stations can be identified as back up apparatus to respond in other response zones.
- b. Mutual Aid apparatus: Apparatus from other departments can be defined to respond into other fire protection areas as part of a mutual and/or automatic aid agreement.
- c. Response override: allows the addition/deletion of apparatus based on limitations a department may have.
- d. Day/Time Response override: allows a department to have different responses based on time of day, day of week, holidays, or any other significant date.

As current clients will attest, Kelowna Fire Dispatch has demonstrated its ability and willingness to customize service to meet the unique nature of individual fire departments.

2. Interoperability

Kelowna will fully cooperate and manage communications with the RCMP dispatch centers, BCAS dispatch centers, the Ministry of Forests Wildfire Coordination center, the EComm, PSAP, and other fire dispatch areas within the geographical area to maintain a cohesive and integrated level of service for all dispatch customers.

As required, Kelowna will coordinate and facilitate working groups to develop multi- agency emergency response solutions.

Kelowna guarantees it is now and shall remain a member of the Association of BC 9-1-1 Service Providers, APCO, and NENA Canada, subject to economic factors and policy decisions.

Other Operational Standards, Policies, Procedures and Protocols

KFD Dispatch Centre guarantees it will use the following industry-standard operational standards, policies, procedures, and protocols, as amended, or supplanted from time to time:

- a. National Fire Incident Reporting System (NFIRS Standard for Incident Type classification)
 - i. This allows any department adopting this standard to compare themselves to a data set of over 35,000 other departments across North America
- b. Incident Command System using plain language standards
 - i. Adoption of plain language standards
- c. Unique apparatus call sign designations
 - i. As a lesson learned from the 2003 wildfire event, none of the apparatus protected by Fire Dispatch have duplicate call signs (i.e.: There is only one Engine 1, Engine 201, etc.)
 - ii. This allows for seamless large-scale aid to be enacted without confusion and sacrificing crew safety.

3. Insurance

As a minimum, the City shall procure and maintain, at its own expense and cost, the following insurance policies:

- a. Workers' Compensation Insurance covering all employees of City engaged in the Work or Services in accordance with the statutory requirements of the province of BC.
- b. Comprehensive General Liability Insurance
 - i. providing for an inclusive limit of not less than \$5,000,000 for each occurrence or accident;
 - ii. providing for all sums which the City shall become legally obligated to pay for damages because of bodily injury (including death at any time resulting therefrom) sustained by any person or persons or because of damage to or destruction of property caused by an occurrence or accident arising out of or related to the Services or any operations carried on in connection with this Contract;
 - iii. including coverage for Products/Completed Operations, Blanket Contractual, Contractor's Protective, Personal Injury, Contingent Employer's Liability, Broad Form Property Damage, and Non-Owned Automobile Liability.
 - iv. including a Cross Liability clause providing that the inclusion of more than one Insured shall not in any way affect the rights of any other Insured hereunder, in

respect to any claim, demand, suit or judgement made against any other Insured.

- c. Automobile Liability Insurance covering all motor vehicles, owned, operated and used or to be used by the City directly or indirectly in the performance of the Work or Services. The Limit of Liability shall not be less than \$5,000,000 inclusive, for loss or damage including personal injuries and death resulting from any one accident or occurrence.

The policies required by sections b(ii) above shall provide that RDEK is named as an Additional Insured thereunder.

4. Other Operational Services

In the event Kelowna upgrades its existing technology or decided to provide additional services, RDEK is guaranteed the option to participate in any upgraded or optional services at that time, provided, however, that the parties can come to mutual agreement regarding the terms of additional or upgraded service.

Kelowna agrees and covenants that existing Service levels provided to RDEK under the term of this Agreement will not be impacted by upgrades to technology or the addition or change to optional services. In no circumstance will the upgrade or provision of additional services result in termination of this Agreement, other than as provided under section 7.2.

Schedule B

The cost schedule (including adjustment factor) applicable to the first five (5) years of the Term under this Agreement, as presented in the Proposal is as follows:

Year	2021	2022	2023	2024	2025
Dispatch Costs	190,548	195,311	200,194	205,199	210,329
Operating Costs	22,148	22,702	23,269	23,851	24,447
Total Costs	212,696	218,013	223,463	229,050	234,776

The annual Dispatch Costs are prorated based on the previous contract with a 2.5% adjustment yearly.

The above fees are payable as follows:

1. Each year, starting May 30th, 2021, the RDEK shall be billed on May 30th for the annual charges for the upcoming period (May 30-May 29).
2. All invoices, bills, and charges rendered by Kelowna shall be paid by the RDEK within 30 days of receipt, except in the event of a state of local, provincial, or federal emergency requiring additional resources.

The provision of service to additional new fire departments within the RDEK service area will be evaluated on a case by case basis and may require adjustment of the cost schedule. In the event that the parties are unable to reach agreement on adjustment of the cost schedule, the provisions of section 8 of the Agreement apply.

Implementation Costs (original contract)

Implementation costs will remain separate from the costs for service as listed above. The Proposal provided an estimated cost for implementation (previous contract) based on research undertaken on behalf of RDEK as part of the proposal process. Actual costs will be based on program implementation and as agreed to by the project teams, subject to approval of both parties and consistent with the terms of the contract. Approved costs incurred by Kelowna on behalf of the RDEK will be billed back to the RDEK monthly.

Schedule – C

Approved Fire Departments response agencies:

1. Baynes Lake Volunteer Fire Department (RDEK)
2. Canal flats Fire Department
3. Cranbrook Fire Department
4. Edgewater Volunteer Fire Department (RDEK)
5. Elkford Fire Rescue Department
6. Elko Volunteer Fire Department (RDEK)
7. Fairmont Volunteer Fire Department (RDEK)
8. Fernie Fire and Emergency Services
9. Hosmer Volunteer Fire Department (RDEK)
10. Invermere Fire Rescue Department
11. Jaffray Volunteer Fire Department (RDEK)
12. Kimberley Fire Department
13. Panorama Volunteer Fire Department (RDEK)
14. Radium Hot Springs Fire Department
15. Sparwood Fire Department
16. Windermere Volunteer Fire Department (RDEK)

Schedule A

It is agreed that the Fire Dispatch Centre will provide the following services:

1. Emergency Call Taking
 - a. Emergency telephone call receipt (9-1-1)
 - b. Receive telephone calls regarding emergency incidents
 - c. Receive radio reports regarding emergency incidents
 - d. Receive smoke sighting reports from Forest, Lands and Natural Resource Operations & Rural Development
2. Call Processing and Response
 - a. Dispatch resources in accordance with standard operating guidelines, perceived incident level and local response plans, including customized levels of response as supported by CAD:
 - i. Incident notification via voice paging system, secondary notification via email and/or text messaging, incident details via facsimile or network/internet rip and run report.
 - b. Call and liaise with local fire chiefs/authority regarding nature of incident/complexity, resources required, via radio or telephone.
 - c. Notification acknowledgement confirmation (within three (3) minutes, then activate default no-response procedures).
 - d. Monitor and record calls at the command channel level.
 - e. Receive and process requests for additional resources:
 - i. Including contact with the utility, Emergency Management BC, highways, forestry, rail representatives, and other resources as required.
 - f. Generate and maintain initial incident reports for all incidents.
 - g. Incident reporting post conclusion of incident.
 - h. Dedicated telephone number (toll free) for responders to access the Fire Dispatch Centre.
3. Media Liaison
 - a. Provide limited incident information to media outlets after hours or if Incident Command has not staffed the Information Officer position.
4. Full recording of all 9-1-1, non-emergency telephone and radio (paging and command) communications.

The following TELUS requirements should be noted:

1. Processing of 9-1-1 calls will require the availability of E911 Tandem to Tandem trunking and a reconfiguration of the TELUS 9-1-1 network.
2. Some splitting and segregation of the 9-1-1 Emergency Service Zone (ESZ) may be required.

The above noted items will be the responsibility of the RDEK, working with TELUS to obtain and deliver.

The following additional requirements of the RDEK should also be noted:

1. This agreement covers standard emergency dispatch services. Any incident or incidents which escalate into an event requiring extraordinary powers under a declaration of a state of local, provincial, or federal emergency may require additional human resources (dispatch and related support personnel) to maintain an appropriate level of service. Should additional personnel be required in addition to staff already on duty, current call back rates would apply and be invoiced.
2. RDEK must supply and keep current; response Operational Guidelines (including mutual and automatic aid agreements) to guide the Fire Dispatch Centre in assigning an appropriate response to all incidents.
3. The Fire Dispatch Centre will not be responsible for the processing of non-emergency or administrative phone calls, beyond providing basic information only. A number(s) must be provided such that these callers can be redirected as required.
4. RDEK is responsible for their radio and pager licensing, acquisition, operation, and maintenance costs, related to delivery of the service within the RDEK area.
5. All communications equipment and installations will strive to meet NFPA 1221 Standard for the Installation, Maintenance, and Use of Emergency Services Communications Systems.
6. RDEK must ensure that a preventative maintenance service agreement for all communications equipment is in place and regular maintenance of the equipment to accepted emergency equipment standards is performed.
7. All future additional mobile equipment, or data connection costs, including MobileCAD and/or Mobile RMS, is the responsibility of the RDEK.
8. RDEK must provide a single point of contact for all administration and operational matters.

Proposal Impact on Current Operations:

1. Additions to equipment, software, and resources

Additions are required to our FDM RMS software/hardware system as noted in Schedule 'B' of this contract.

Please note the following data requirements:

- a. Any existing RDEK response logic and response zone shape files currently in use.
- b. RDEK map data in the form of shape files (or other file formats able to be converted to shape files) including but not limited to:
 - i. Political boundaries
 - ii. Fire protection areas
 - iii. Fire contract areas
 - iv. Fire response zones
 - v. Fire hydrants and/or water supplies

- vi. Trails, pathways
- vii. Parcels
- viii. Ortho photos
- c. Information will be updated on a regular basis, as required.

Additions and upgrades will be required to our radio system, and these will be dependent on the type of interface agreed on.

2. Enhancements and additions to current dispatch facility

Our current facility includes three dispatch/call taker positions and two call taker positions, No enhancements or additions to our current dispatch facility are required.

Other Details

1. Ability to customize service to meet specific response protocols for each fire department

All current clients requiring specific response protocols have been met using one or all of the following capabilities with FDM:

- a. Basic back-up apparatus: where a station has more than one piece of apparatus configured to respond to additional calls for service, they can be defined as back up apparatus. Similarly, if a department has more than one station, apparatus from subsequent stations can be identified as back up apparatus to respond in other response zones.
- b. Mutual Aid apparatus: Apparatus from other departments can be defined to respond into other fire protection areas as part of a mutual and/or automatic aid agreement.
- c. Response override: allows the addition/deletion of apparatus based on limitations a department may have.
- d. Day/Time Response override: allows a department to have different responses based on time of day, day of week, holidays, or any other significant date.

As current clients will attest, Kelowna Fire Dispatch has demonstrated its ability and willingness to customize service to meet the unique nature of individual fire departments.

2. Interoperability

Kelowna will fully cooperate and manage communications with the RCMP dispatch centers, BCAS dispatch centers, the Ministry of Forests Wildfire Coordination center, the EComm, PSAP, and other fire dispatch areas within the geographical area to maintain a cohesive and integrated level of service for all dispatch customers.

As required, Kelowna will coordinate and facilitate working groups to develop multi- agency emergency response solutions.

Kelowna guarantees it is now and shall remain a member of the Association of BC 9-1-1 Service Providers, APCO, and NENA Canada, subject to economic factors and policy decisions.

Other Operational Standards, Policies, Procedures and Protocols

KFD Dispatch Centre guarantees it will use the following industry-standard operational standards, policies, procedures, and protocols, as amended, or supplanted from time to time:

- a. National Fire Incident Reporting System (NFIRS Standard for Incident Type classification)
 - i. This allows any department adopting this standard to compare themselves to a data set of over 35,000 other departments across North America
- b. Incident Command System using plain language standards
 - i. Adoption of plain language standards
- c. Unique apparatus call sign designations
 - i. As a lesson learned from the 2003 wildfire event, none of the apparatus protected by Fire Dispatch have duplicate call signs (i.e.: There is only one Engine 1, Engine 201, etc.)
 - ii. This allows for seamless large-scale aid to be enacted without confusion and sacrificing crew safety.

3. Insurance

As a minimum, the City shall procure and maintain, at its own expense and cost, the following insurance policies:

- a. Workers' Compensation Insurance covering all employees of City engaged in the Work or Services in accordance with the statutory requirements of the province of BC.
- b. Comprehensive General Liability Insurance
 - i. providing for an inclusive limit of not less than \$5,000,000 for each occurrence or accident;
 - ii. providing for all sums which the City shall become legally obligated to pay for damages because of bodily injury (including death at any time resulting therefrom) sustained by any person or persons or because of damage to or destruction of property caused by an occurrence or accident arising out of or related to the Services or any operations carried on in connection with this Contract;
 - iii. including coverage for Products/Completed Operations, Blanket Contractual, Contractor's Protective, Personal Injury, Contingent Employer's Liability, Broad Form Property Damage, and Non-Owned Automobile Liability.
 - iv. including a Cross Liability clause providing that the inclusion of more than one Insured shall not in any way affect the rights of any other Insured hereunder, in respect to any claim, demand, suit or judgement made against any other Insured.
- c. Automobile Liability Insurance covering all motor vehicles, owned, operated and used or to be used by the City directly or indirectly in the performance of the Work or Services. The

Limit of Liability shall not be less than \$5,000,000 inclusive, for loss or damage including personal injuries and death resulting from any one accident or occurrence.

The policies required by sections b(ii) above shall provide that RDEK is named as an Additional Insured thereunder.

4. Other Operational Services

In the event Kelowna upgrades its existing technology or decided to provide additional services, RDEK is guaranteed the option to participate in any upgraded or optional services at that time, provided, however, that the parties can come to mutual agreement regarding the terms of additional or upgraded service.

Kelowna agrees and covenants that existing Service levels provided to RDEK under the term of this Agreement will not be impacted by upgrades to technology or the addition or change to optional services. In no circumstance will the upgrade or provision of additional services result in termination of this Agreement, other than as provided under section 7.2.

Schedule B

The cost schedule (including adjustment factor) applicable to the first five (5) years of the Term under this Agreement, as presented in the Proposal is as follows:

Year	2021	2022	2023	2024	2025
Dispatch Costs	190,548	195,311	200,194	205,199	210,329
Operating Costs	22,148	22,702	23,269	23,851	24,447
Total Costs	212,696	218,013	223,463	229,050	234,776

The annual Dispatch Costs are prorated based on the previous contract with a 2.5% adjustment yearly.

The above fees are payable as follows:

1. Each year, starting May 30th, 2021, the RDEK shall be billed on May 30th for the annual charges for the upcoming period (May 30-May 29).
2. All invoices, bills, and charges rendered by Kelowna shall be paid by the RDEK within 30 days of receipt, except in the event of a state of local, provincial, or federal emergency requiring additional resources.

The provision of service to additional new fire departments within the RDEK service area will be evaluated on a case by case basis and may require adjustment of the cost schedule. In the event that the parties are unable to reach agreement on adjustment of the cost schedule, the provisions of section 8 of the Agreement apply.

Implementation Costs (original contract)

Implementation costs will remain separate from the costs for service as listed above. The Proposal provided an estimated cost for implementation (previous contract) based on research undertaken on behalf of RDEK as part of the proposal process. Actual costs will be based on program implementation and as agreed to by the project teams, subject to approval of both parties and consistent with the terms of the contract. Approved costs incurred by Kelowna on behalf of the RDEK will be billed back to the RDEK monthly.

Schedule – C

Approved Fire Departments response agencies:

1. Baynes Lake Volunteer Fire Department (RDEK)
2. Canal flats Fire Department
3. Cranbrook Fire Department
4. Edgewater Volunteer Fire Department (RDEK)
5. Elkford Fire Rescue Department
6. Elko Volunteer Fire Department (RDEK)
7. Fairmont Volunteer Fire Department (RDEK)
8. Fernie Fire and Emergency Services
9. Hosmer Volunteer Fire Department (RDEK)
10. Invermere Fire Rescue Department
11. Jaffray Volunteer Fire Department (RDEK)
12. Kimberley Fire Department
13. Panorama Volunteer Fire Department (RDEK)
14. Radium Hot Springs Fire Department
15. Sparwood Fire Department
16. Windermere Volunteer Fire Department (RDEK)

Report to Council



Date: May 10, 2021
To: Council
From: City Manager
Subject: Bicycle Friendly Communities Award
Department: Integrated Transportation

Recommendation:

THAT Council receives, for information, the report from the Integrated Transportation Department dated May 10th, 2021, regarding the Bicycle Friendly Community designation for the City of Kelowna.

Purpose:

To accept the Bicycle Friendly Community designation from the Share the Road Cycling Coalition.

Background:

The Bicycle Friendly Communities Award Program helps communities evaluate the bicycle-friendliness of their community, celebrate progress, and work towards improvement over time. The award program was launched by the Share the Road Cycling Coalition in Canada in August 2010 in partnership with the League of American Bicyclists. The program was launched for the first time in western Canada last year. Kelowna is the first BC community to be awarded this designation.

Discussion:

The City is pleased to accept this award from the Share the Road Cycling Coalition designating Kelowna as a Bicycle Friendly Community at the bronze level. The award recognizes the significant efforts made in Kelowna over many years to fill the gaps in our bicycle network and adopt bicycle-friendly policies in various City plans and bylaws. As part of this award, the Share the Road Cycling Coalition has provided



Figure 1 Ethel and Sutherland is the first intersection where two protected bike lanes meet in Kelowna.

the *Bicycle Friendly Communities Kelowna Feedback Report (Attachment 1)* which includes suggestions and recommendations for how Kelowna can continue to support travel by bicycle for people of all ages and abilities within our community. This third-party review provides staff with an objective look at what the City is doing well and where we can focus our efforts to improve, in support of our on-going journey to become more bicycle-friendly as we grow.

Next Steps:

Staff will install four Bicycle Friendly Community branded bicycle racks and two Bicycle Friendly Community signs at key locations along the City's growing bicycle network. Staff will also review the *Bicycle Friendly Communities Kelowna Feedback Report* and seek to incorporate the recommendations, as appropriate, into our ongoing efforts.

Internal Circulation:

Corporate Strategic Services
Infrastructure
Planning and Development Services

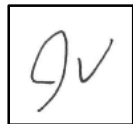
Considerations not applicable to this report:

Legal/Statutory Authority:
Legal/Statutory Procedural Requirements:
Existing Policy:
Financial/Budgetary Considerations:
External Agency/Public Comments:
Communications Comments:

Submitted by:
M. Worona, Mobility Specialist

Reviewed and Approved by:
M. VanZerr, Strategic Transportation Planning Manager

Approved for inclusion:



J. Vos, Divisional Director, Infrastructure

Attachment 1 – Presentation Slides – Bicycle Friendly Communities Award
Attachment 2 – Bicycle Friendly Communities - Feedback Report

cc: Deputy City Manager
Divisional Director, Corporate and Protective Services
Divisional Director, Corporate Strategic Services
Divisional Director, Financial Services
Divisional Director, Infrastructure
Divisional Director, Partnership & Investments



BICYCLE FRIENDLY COMMUNITIES

FEEDBACK REPORT

Kelowna, BC

February 2021



KELOWNA, BC

Certified Bronze 2021-2025

Population: 132 000

Size: 211.8 km²

Share the Road Cycling Coalition's Bicycle Friendly Communities (BFC) judging panel was pleased to see the extent to which the City of Kelowna, BC is a great place for cyclists. The judging panel has designated Kelowna a Bicycle Friendly Community at the **Bronze** award level.

Community Strengths

- Substantial cycling infrastructure already in place
- Community support for active transportation including dedicated staff at the City
- Mild climate, flat topography and trail network conducive to cycling

Application Highlights

The judging panel and local reviewers noted the following strengths in Kelowna's efforts to improve bicycle friendliness:

- Strong budget and commitment to building new infrastructure in the Pedestrian and Bicycle Master Plan
- Use of BC Active Transportation Design Guide for implementing protected bike lanes
- Range of encouragement activities (e.g., community rides, car-free days, Winter Bike to Work/School days)

Promising Efforts

- Community Outreach programs run by Tourism Board and cycling clubs and Friends of the Trail groups, and Safe Routes to School program for children

- Planning and policy documents in place to support and guide implementation of bicycle-friendly infrastructure (e.g., streetscape design guidelines, preserving abandoned rail corridors for multi-use trails)
- Availability of bicycle parking and accessibility of bicycle repair stations and air pumps

Key Steps to Silver

There is no single path towards becoming a great community for cyclists, but there are common building blocks evident in the most exemplary BFCs in North America. Below we share some ideas to provide inspiration as you work to advance to the next award level.

Engineering

- Ensure that intersections are designed to maximize cycling safety. For guidance, look to the [NACTO Guide](#) on Next-Generation Street Intersection Design.
- Continue creating cycling infrastructure that appeals beyond the “strong and fearless” and the “enthusiastic and confident” riders into the population of those who are “interested but concerned.” As you know, these types of riders need routes and options that make them feel safe, which means installing protected or buffered bike lanes or cycle tracks along key routes while also ensuring that routes are designed in a continuous and consistent fashion, i.e., addressing any gaps in cycling infrastructure.

Education

- Continue to expand your public education campaign promoting the share the road message, to help educate both motorists and cyclists about their rights and responsibilities on the road. Take advantage of your local bicycle groups for content development and manpower. For examples of educational campaigns, see “[It Moves Us All](#)” from CAA and Share the Road Cycling Coalition, and the “[Dutch Reach](#).”
- Engage with more schools to provide cycling skills education. Ideally, do this as part of a broader active school travel initiative (using tools and guidance from [Green Communities Canada](#)), in partnership with your local school boards.
- Expand cycling education into high schools. For inspiration, check out Durham Region’s [Youth Cycling Guide](#) and the Region of Peel’s [Family Cycling Handbook](#) and [10 Step Handbook for High School Bike Projects](#).
- Offer community rides that feature an educational component—e.g., integrating bike safety, basic riding/handling skills and helmet fit basics—where those components of the ride are offered as an “extra” to supplement a ride that showcases some of the unique elements of your community. Look at what has been done in Thunder Bay with their “[Discovery Rides](#)” for inspiration.

- Ensure that municipal employees are ambassadors for safe driving by starting motorist education programs for municipal employees with an emphasis on sharing the road effectively with cyclists. See what [San Francisco](#) has done. Your Police Services or a local advocacy group may be able to offer the training.
- Implement a [School Streets](#) program, i.e., closing the streets immediately adjacent to schools during drop-off and pick-up times to improve safety and encourage increased rates of active travel for the school journey.

Encouragement

- Hire a Bicycle Outreach Coordinator (e.g., permanent staff position or summer student position) who can liaise with the Kelowna Area Cycling Coalition and other community groups to take the lead on planning and executing cycling Education and Encouragement initiatives.
- Host events outside of “Go By Bike” week to raise awareness and excitement about cycling and encourage people to get out on (or perhaps, back on) their bikes. Consider hosting events like a Commuter Challenge, community rides, and bicycle repair workshops. For inspiration, check out Share the Road’s Bike Month “[Recipe Cards](#).”
- Leverage Kelowna’s bike-conducive topography and presence of amenities within a 20-minute bike ride from many residential areas to create promotional campaigns like [Bike to Shop Day](#) to encourage everyday cycling, e.g., trips to the grocery store, to friends’ homes, to coffee shops, to spiritual centers, etc.
- Work with local stakeholders to offer community rides that cater to a variety of interests and abilities. Start with slow, short rides around the community to give people a chance to try cycling again in a friendly, social environment.
- Host [bike valets](#) at large community events, as well as at routine events like a weekly farmer’s market.
- Deploy automated speed enforcement tools in community safety zones and school zones to make cycling more comfortable in those areas. This technology has the potential to free up scarce police resources, [increase speed limit compliance](#) and significantly reduce the number of injuries and deaths that result from speeding.

Evaluation and Planning

- Continue to strengthen relationships with key stakeholders from a variety of municipal departments and community groups, including Engineering and Public Works, Parks and Recreation, Municipal Council, Public Health, and local school boards. Continue to prioritize active transportation at Capital Coordination meetings.

- Conduct pre/post evaluations of bicycle-related projects to study changes in use, car speed and crash numbers. These data are valuable to build public and political support for future bicycle-related projects.
- Continue to support community mapping efforts by partnering with local non-profits. Consult the example from Ottawa, Ontario on how to [create a robust dataset](#), make use of [route-finding software](#). Another option is to input roads data into [OpenStreetMaps](#). For more resources on measuring network connectivity, check out the (US) Federal Highway Administration's [Guidebook for Measuring Multimodal Connectivity](#).
- Utilize existing cycling data to establish and communicate the benefits of cycling investments in Kelowna.
- Continue to conduct comprehensive surveys to identify how residents are getting around Kelowna in greater detail than what is available from Statistics Canada. Why do people ride? Who is riding and who is not? What types of infrastructure would motivate members of your community to ride more often?

For more ideas and best practices, visit [Bicycle Friendly Community Resources](#) maintained by The League of American Cyclists. Send any additional cycling resources that your community has developed or used to bfc@sharetheroad.ca

Share the Road Cycling Coalition's Bicycle Friendly Communities program is possible thanks to our program partner, The League of American Bicyclists, and our sponsor, CAA.



**BICYCLE FRIENDLY
COMMUNITY**



**BICYCLE FRIENDLY
COMMUNITIES**



Bicycle Friendly Communities Award

May 10 2021



Bicycle Friendly Communities Bronze Award

- ▶ Kelowna first city in BC to achieve this designation
- ▶ Third party review of how to become more bike friendly
- ▶ Award signs and bike racks to be installed along the bike network





Questions?

For more information, visit kelowna.ca.

CITY OF KELOWNA

BYLAW NO. 12198

Five Year Financial Plan 2021-2025

The Municipal Council of the City of Kelowna, in open meeting assembled, enacts as follows:

1. Schedule "A" attached hereto and forming part of this bylaw is hereby declared to be the Five Year Financial Plan of the City of Kelowna for the period January 1, 2021 to and including December 31, 2025.
2. Schedule "B" attached hereto and forming part of this bylaw is hereby declared to be the Statement of Objectives and Policies in accordance with Section 165 (3.1) of the *Community Charter*.
3. This bylaw may be cited for all purposes as the "Five Year Financial Plan Bylaw, 2021-2025, No. 12198".

Read a first, second and third time by the Municipal Council this 26th day of April, 2021.

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

Schedule "A"
Financial Plan 2021 - 2025

	2021	2022	2023	2024	2025	2026-2030
Revenue						
Property Value Tax	157,735,983	169,205,678	180,116,559	189,700,310	198,190,895	1,090,891,060
Library Requisition	6,926,600	7,065,132	7,206,435	7,350,564	7,497,575	39,798,035
Parcel Taxes	3,195,727	3,422,977	3,446,741	3,470,144	3,309,310	13,431,141
Fees and Charges	109,997,186	138,915,319	150,938,199	157,982,369	160,220,846	881,407,825
Borrowing Proceeds	7,158,600	17,805,940	21,700,000	2,742,540	10,061,293	3,646,873
Other Sources	67,535,274	50,713,865	50,086,080	55,678,976	52,206,130	349,939,336
	352,549,370	387,128,911	413,494,014	416,924,903	431,486,049	2,379,114,271
Transfer between Funds						
Reserve Funds	2,164,376	1,607,774	1,018,046	1,018,046	1,018,046	5,090,230
DCC Funds	27,455,260	22,749,126	31,614,637	28,975,450	36,132,347	188,554,781
Surplus/Reserve Accounts	187,605,634	42,896,550	64,009,793	59,487,250	52,358,826	285,394,007
	217,225,270	67,253,450	96,642,476	89,480,746	89,509,219	479,039,018
Total Revenues	569,774,640	454,382,361	510,136,490	506,405,649	520,995,268	2,858,153,289
Expenditures						
Municipal Debt						
Debt Interest	3,728,439	5,266,286	7,025,695	7,813,907	7,851,686	33,267,080
Debt Principal	9,762,977	10,555,605	12,340,084	13,843,506	13,952,658	55,498,330
Capital Expenditures	238,360,450	104,896,152	142,250,238	122,121,840	127,596,432	715,188,831
Other Municipal Purposes						
General Government	31,883,709	30,836,885	31,686,895	32,585,805	33,510,415	181,912,914
Planning, Development & Building Services	31,729,092	25,471,518	25,685,213	26,445,831	27,242,444	147,813,478
Community Services	93,067,468	96,372,824	97,799,320	100,370,889	103,387,067	558,930,773
Protective Services	72,202,231	76,409,427	80,426,322	84,969,627	89,572,078	498,302,342
Utilities	25,865,914	22,504,022	22,868,555	23,879,546	24,519,526	132,273,909
Airport	15,915,345	16,917,094	17,925,228	19,474,505	18,019,242	107,298,110
	522,515,625	389,229,813	438,007,550	431,505,456	445,651,548	2,430,485,767
Transfers between Funds						
Reserve Funds	25,971,978	26,312,594	27,575,765	27,595,506	27,606,240	142,651,153
DCC Funds	0	0	0	0	0	0
Surplus/Reserve Accounts	21,287,037	38,839,954	44,553,175	47,304,687	47,737,480	285,016,369
	47,259,015	65,152,548	72,128,940	74,900,193	75,343,720	427,667,522
Total Expenditures	569,774,640	454,382,361	510,136,490	506,405,649	520,995,268	2,858,153,289

Note: Totals may not add due to rounding.

Schedule "B"
Statement of Objectives and Policies

In accordance with Section 165(3.1) of the *Community Charter*, municipalities are required to include in the Five Year Financial Plan, objectives and policies regarding each of the following:

- (a) For each of the funding sources described in Section 165(7) of the *Community Charter*, the proportion of total revenue that is proposed to come from that funding source;
- (b) The distribution of property value taxes among the property classes that may be subject to taxes;
- (c) The use of permissive tax exemptions.

Funding Sources

Table 1 shows the proportion of total revenue proposed to be raised from each funding source in 2021. Property taxes and fees and charges are two of the largest sources of revenue. Both have advantages in that they are stable, relatively simple to administer and are generally understood by citizens. The City of Kelowna also utilizes funds from reserves and surplus as another main source of financial support. Reserve funds are closely managed to ensure and protect the current and future financial viability of the municipality. Other sources of revenue may be variable and fluctuate from year to year depending on the economic influences and capital programs undertaken by the City.

Objectives

- Investigate other potential funding sources and securing opportunities for additional revenues.
- Begin to decrease the municipality's reliance on property taxes and explore opportunities to increase the percent of total revenue received from user fees and charges and senior government grants.
- Maintain a fees and charges structure whereby increases are applied on a regular basis in line with inflation, while ensuring that service levels remain competitive and affordable.

Policies

- Pursue non-property tax revenues whenever possible through applying for government grants and charging user fees at appropriate levels.
- Perform regular reviews of revenue generating areas for appropriate application of rate increases.
 - Planning and Development Fees.
 - Active Living & Culture Fees and Charges – application of BC Consumer Price Index.
 - Utility Revenues – ensure Utilities operate as self-supporting enterprise funds.
- Increase provincial and federal grant revenue through maximum utilization of the City's Grant Manager position.

Table 1: Sources of Revenue

Revenue Source	Revenue \$ (000's)	% of Revenue
Property Value Tax	157,736	28%
Library Requisition	6,927	1%
Parcel Taxes	3,196	1%
Fees & Charges	109,997	19%
Borrowing Proceeds	7,159	1%
Other Sources	67,535	12%
Reserve Funds/Accounts	217,225	38%
Total	569,775	100%

Distribution of Property Tax Rates

Table 2 outlines the council approved municipal tax distribution policy for 2021 and the relative proportion of tax revenues. Projected revenues from the combined residential, recreational and Non-Profit classes, provides the largest proportion of property tax revenue. This cumulative class represents the largest tax assessment base and hence utilizes the majority of City services.

Objectives

- Provide an effective tax change that is the same for all property classes.
- Ensure that business and light industry property tax ratios remain below the average of BC municipalities with populations greater than 75,000.
- Allow for a maximum ratio cap of 3:1 for the Light Industrial/Business class.

Policies

- Council will annually review and modify tax class ratios to provide an effective tax change that is the same for all classes.
- The impacts on other property classes from administering a ratio cap on the Light Industrial/Business classes will be reported to Council during the annual Tax Distribution Policy review.
- Regularly review and compare the City's relative position in terms of distribution of taxes to other similarly sized municipalities in British Columbia.

Table 2: Tax Class Ratios and Projected Revenues

Property Class	Description	2021 Tax Class Ratios	Tax Revenue \$ (000's)	2020 Tax Class Ratios
01/08/03	Res/Rec/NP/SH	1.0000:1	110,272	1.0000:1
02	Utilities	4.9179:1	717	4.9211:1
04	Major Industrial	5.8504:1	0	6.0425:1
05/06	Light Ind/Bus/Other	2.2556:1	46,092	2.1724:1
09	Farm Land	0.1639:1	11	0.1706:1
91	Farm Improvements	0.5081:1	643	0.5096:1
	Total Revenues		157,736	

Property Tax Exemptions

The City has an existing permissive tax exemption policy which guides the administration and approval of permissive tax exemptions. Some of the eligibility criteria for permissive tax exemptions that are outlined in the policy include the following:

- The applicant must qualify for an exemption under the provisions of the Community Charter.
- The organization receiving an exemption must be a registered non-profit society or registered charity, as the support of the municipality will not be used for commercial and private gain.
- The tax exemption must demonstrate benefit to the community and residents of the City by enhancing the quality of life (spiritually, educationally, socially and culturally), while delivering services economically to the citizens within the community.

The value of tax exemptions provided by Council for 2021 (based on 2020 assessment totals and tax rates) is \$3,747,201. The following breaks down the total into various exemption categories and the exemption value for the category:

Places of Worship - \$ 395,271

Private schools - \$ 258,882

Hospitals - \$ 19,736

Special Needs Housing - \$ 58,678

Social Services - \$ 297,429

Public Park, Athletic or Recreational - \$ 454,458

Cultural - \$ 419,988

Partnering, Heritage or Other Special Exemptions Authority - \$ 378,602

Revitalization - \$1,464,157

In order to encourage the restoration and preservation of commercial, industrial and institutional building, properties that meet the criteria outlined in the Heritage Building Tax Incentive Program policy can receive a tax exemption.

The establishment of the Revitalization Tax Exemption policy allows qualifying properties within the Downtown Urban Centre and Rutland Urban Centre areas to receive a tax exemption.

Objectives

- Continue to provide permissive tax exemptions to support qualifying organizations that improve the well-being of the community.
- The municipality will continue to provide heritage and revitalization tax exemptions for qualifying properties.

Policies

- Permissive tax exemptions will be considered to encourage activities that: (a) are consistent with the quality of life objectives of the municipality; (b) provide direct access and benefit to the public; and (c) would otherwise be provided by the municipality.

- To meet the city's commitment to the ongoing restoration, preservation and maintenance of buildings and structures on its Heritage Register, eligible properties will be considered for a tax exemption.
- To support the city's revitalization program of the Downtown Urban Centre and Rutland Urban Centre, qualifying properties will be considered for a tax exemption.

CITY OF KELOWNA

BYLAW NO. 12199

Tax Structure Bylaw, 2021

WHEREAS the Letters Patent of the City of Kelowna provide that the municipality may be divided into two (2) or more taxation areas by bylaw adopted prior to the adoption of the Annual Budget Bylaw;

NOW THEREFORE, the Municipal Council of the City of Kelowna, in open meeting assembled, enacts as follows:

1. **Taxation Area 1**

All lands and improvement thereon classified for assessment purposes as "Farm".

2. **Taxation Area 2**

All lands and improvements thereon not included in Taxation Area 1.

3. This bylaw shall be applicable for the 2021 taxation year.

4. This bylaw may be cited for all purposes as "Tax Structure Bylaw, 2021 No. 12199".

Read a first, second and third time by the Municipal Council this 26th day of April, 2021.

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

CITY OF KELOWNA

BYLAW NO. 12200

Annual Tax Rates Bylaw, 2021

WHEREAS the Letters Patent dated the Twenty-fifth day of April, 1973 for the City of Kelowna provides for differing levels of taxation taking into consideration the extent of level of services being provided to different areas within the municipality.

The Council of the City of Kelowna, in open meeting assembled, enacts as follows:

1. The following rates are hereby imposed and levied for the taxation year 2021:
 - (a) For all lawful General purposes of the municipality on the assessed value of land and improvements taxable for general municipal purposes, rates appearing in column "A" of Schedule 1 of this Bylaw;
 - (b) For Debt purposes on the assessed value of land and improvements taxable for general municipal purposes, rates appearing in column "B" of Schedule 1 of this Bylaw;
 - (c) For purposes of the Okanagan Regional Library on the assessed value of land and improvements taxable for Regional Library purposes, rates appearing in column "C" of Schedule 1 of this Bylaw;
 - (d) For Hospital purposes on the assessed value of land and improvements taxable for Regional Hospital District purposes, rates appearing in column "D" of Schedule 1 of this Bylaw;
 - (e) For purposes of the Regional District of Central Okanagan on the assessed value of land and improvements taxable for Regional District purposes, rates appearing in column "E" of Schedule 1 of this Bylaw;
 - (f) For purposes of the Regional District of Central Okanagan on the assessed value of land only for the Regional District of Central Okanagan Sterile Insect Release Program, rates appearing in column "F" of Schedule 1 of this Bylaw; and
 - (g) For Local Service Area purposes on the assessed value of land and improvements taxable for general municipal purposes, rates appearing in columns "A" and "B" of Schedule 2 of this Bylaw.
2. This bylaw may be cited as "Annual Tax Rates Bylaw, 2021 No. 12200".

Read a first, second and third time by the Municipal Council this 26th day of April, 2021.

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

SCHEDULE 1**CITY OF KELOWNA****GENERAL MUNICIPAL, DEBT, HOSPITAL AND REGIONAL DISTRICT
TAX RATES - 2021**

		TAX RATES (DOLLAR OF TAX PER \$1,000 TAXABLE VALUE)					TAXABLE LAND ONLY
		A GENERAL MUNICIPAL	B DEBT	C LIBRARY	D REGIONAL HOSPITAL DISTRICT	E REGIONAL DISTRICT	F REGIONAL DISTRICT SIR
PROPERTY CLASS							
01	Residential	3.0983	0.0900	0.1395	0.2519	0.2307	0.0267
02	Utilities	15.2372	0.4426	0.6861	0.8817	0.8076	0.0933
03	Supportive Housing	3.0983	0.0900	0.1395	0.2519	0.2307	0.0267
04	Major Industrial	18.1262	0.5266	0.8162	0.8565	0.7845	0.0907
05	Light Industrial	6.9886	0.2030	0.3147	0.8565	0.7845	0.0907
06	Business/Other	6.9886	0.2030	0.3147	0.6172	0.5653	0.0653
08	Recreation/Non-Profit	3.0983	0.0900	0.1395	0.2519	0.2307	0.0267
09	Farm:						
	a) Land	0.5112	0.0148	0.0240	0.2519	0.2307	0.0267
	b) Improvements	1.5742	0.0457	0.0709	0.000	0.0000	0.0000

SCHEDULE 2

CITY OF KELOWNA

2021 LOCAL SERVICE AREA TAX RATES

PROPERTY CLASS	A	B
	DOWNTOWN BUSINESS IMPROVEMENT AREA	UPTOWN RUTLAND BUSINESS IMPROVEMENT AREA
1. RESIDENTIAL	0	0
2. UTILITY	0	0
4. INDUSTRIAL – MAJOR	0	0
5. INDUSTRIAL – LIGHT	1.4253	1.0735
6. BUSINESS	1.4253	1.0735
7. TREE FARM	0	0
8. SEASONAL	0	0
9. FARM		
a) LAND	0	0
b) IMPROVEMENT	0	0

CITY OF KELOWNA

BYLAW NO. 12201

Development Cost Charge Reserve Fund Expenditure Bylaw, 2021

WHEREAS, there is an unappropriated balance in the Development Cost Charge Reserve Fund of Eighty Three Million, Seven Hundred and Fifty Four Thousand, One Hundred and Fifty Eight dollars (\$ 83,754,158) as at January 1, 2021.

AND WHEREAS, it is deemed desirable to expend a portion of the monies set aside under said Development Cost Charge Reserve Fund for the purpose of utility, road and land improvement and additions;

NOW THEREFORE, the Municipal Council of the City of Kelowna, in open meeting assembled, enacts as follows:

1. The sum of Eighty Three Million, Seven Hundred and Fifty Four Thousand, One Hundred and Fifty Eight dollars (\$ 83,754,158) is hereby appropriated from the Development Cost Charge Reserve Fund to be expended in 2021 for the following purposes:

Land for Park Purposes	\$ 11,092,103
Park Development	\$10,252,319
Road Construction	\$ 47,646,568
Wastewater Trunks, Plant & Debt Repayment	\$ 8,920,763
Water Mains, Pump Stations & Reservoir Construction	\$ 5,842,405

\$ 83,754,158

2. The expenditure to be carried out by the monies hereby appropriated shall be more particularly specified and authorized by resolution of Council.
3. Should any of the above remain unexpended after the expenditures hereby authorized have been made, the unexpended balance shall be returned to the credit of the Development Cost Charge Reserve Fund.
4. This bylaw may be cited as the "Development Cost Charge Reserve Fund Expenditure Bylaw, 2020, No. 12201".

Read a first, second and third time by the Municipal Council this 26th day of April, 2021.

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

CITY OF KELOWNA

BYLAW NO. 12202

Sale of City-Owned Land Reserve Fund Expenditure Bylaw, 2021

WHEREAS, there is an unappropriated balance in the Sale of City-Owned Land Reserve Fund of Nine Million, Two Hundred Ninety Six Thousand, Eight Hundred Fifty-Six Dollars (\$9,296,856) as at January 1, 2021.

AND WHEREAS, it is deemed desirable to expend a portion of the monies set aside under said Sale of City-Owned Land Reserve Fund for the purpose of land purchases and enhancements set out below;

NOW THEREFORE, the Municipal Council of the City of Kelowna, in open meeting assembled, enacts as follows:

1. The sum of Nine Million, Two Hundred Ninety Six Thousand, Eight Hundred Fifty-Six Dollars (\$9,296,856) as at January 1, 2021 is hereby appropriated from the Sale of City-Owned Land Reserve Fund to be expended in 2021 for the following purposes:

General Land	\$ 7,947,840
Parks Land	\$ 1,051,505
Housing Opportunity	\$ 297,511
	<u>\$ 9,296,856</u>

2. The expenditure to be carried out by the monies hereby appropriated shall be more particularly specified and authorized by resolution of Council.
3. Should any of the above remain unexpended after the expenditures hereby authorized have been made, the unexpended balance shall be returned to the credit of the City-Owned Land Reserve Fund.
4. This bylaw may be cited as the "Sale of City-Owned Land Reserve Fund Expenditure Bylaw, 2021, No. 12202".

Read a first, second and third time by the Municipal Council this 26th day of April, 2021.

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

CITY OF KELOWNA

BYLAW NO. 12173

Amendment No. 11 to Development Application Fees Bylaw No. 10560

The Municipal Council of the City of Kelowna, in open meeting assembled, enacts that the City of Kelowna Development Applications Fees Bylaw No. 10560 be amended as follows:

1. THAT **Schedule "A" – Development Application Fees – Table 1, FEES PURSUANT TO ZONING BYLAW NO. 8000 AND LOCAL GOVERNMENT ACT** be amended by:

- a) deleting under **Zoning Bylaw Amendments** the following that reads:

Zoning Bylaw Amendments				
All Other Zones	\$1,915	\$1,950	\$1,985	\$2,020

replacing it with the following:

Zoning Bylaw Amendments				
All Other Zones (including RLS, LP and R subzones)	\$1,915	\$1,950	\$1,985	\$2,020

- b) deleting under **Urban Design Development Permits** the following that reads:

Urban Design Development Permits				
Major	\$1,745	\$1,775	\$1,810	\$1,845
Minor Direct	\$960	\$975	\$985	\$1000

replacing it with the following:

Urban Design Development Permits				
Major	\$1,745	\$1,775	\$1,810	\$1,845
Minor Direct (Including RU7 Fast Track)	\$960	\$975	\$985	\$1000

- c) deleting under **ALC Applications (ALC receives \$1,200 of permit fees)** the following that reads:

ALC Applications (ALC receives \$1,200 of permit fees)				
Subdivision/Non-Farming	\$1,505	\$1,510	\$1,515	\$1520
Application for Exclusion	\$1,505	\$1,510	\$1,515	\$1520

replacing it with the following:

ALC Applications-(In accordance with the Application Fee Table published by the ALC). Amounts below paid to the City of Kelowna.				
Non-Adhering Residential Use	\$450	\$450	\$450	\$450
Soil Use to Place Fill and/or Remove Soil	\$750	\$750	\$750	\$750
Non-Farm Use	\$750	\$750	\$750	\$750

Subdivision	\$750	\$750	\$750	\$750
Exclusion	\$750	\$750	\$750	\$750

2. THAT **Schedule "A" – Development Application Fees – Table 2 FEES PURSUANT TO SUBDIVISION, DEVELOPMENT, AND SERVICING BYLAW NO. 7900 AND LAND TITLE ACT** be amended by:

deleting under **Subdivision Category⁵** the following that reads:

Subdivision Category⁵	2020 Fees	2021 Fees	2022 Fees	2023 Fees
Fee Simple Subdivision and Bare Land Strata Subdivisions (Preliminary Layout Review)	\$2,160 base fee + \$110/lot	\$2,200 base fee + \$110/lot	\$2,240 base fee + \$115/lot	\$2,280 base fee + \$115/lot

replacing it with the following:

Subdivision Category⁵	2020 Fees	2021 Fees	2022 Fees	2023 Fees
Fee Simple Subdivision and Bare Land Strata Subdivisions (Preliminary Layout Review) Subdivision where less than 3 new lots are being proposed	\$2,160 base fee	\$2,200 base fee	\$2,240 base fee	\$2,280 base fee
Fee Simple Subdivision and Bare Land Subdivisions (Preliminary Layout Review) Subdivision where 3 or more new lots are being proposed	\$2,160 base fee (lots 1-2) + \$110/ additional lot	\$2,200 base fee (lots 1-2) + \$110/lot additional lot	\$2,240 base fee (lots 1-2) + \$115/lot additional lot	\$2,280 base fee (lots 1-2) + \$115/lot additional lots

3. This bylaw may be cited for all purposes as "Bylaw No. 12173, being Amendment No. 11 to Development Application Fees Bylaw No. 10560."
4. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first, second and third time by the Municipal Council this 26th day of April, 2021.

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk